

OFFICIAL REPORT OF PROCEEDINGS

BEFORE THE

NATIONAL LABOR RELATIONS BOARD

REGION 19

In the Matter of:

Starbucks Corporation,

Case No. 19-RC-297140

Employer,

and

Workers United,

Petitioner.

Place: Seattle, Washington (via Zoom Videoconference)

Dates: June 28, 2022

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UNITED STATES OF AMERICA
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The above-entitled matter came on for hearing, via Zoom videoconference pursuant to notice, before **RACHEL CHEREM**, Hearing Officer, at the National Labor Relations Board, Region 19, Jackson Federal Building, 915 Second Avenue, Suite 2948, Seattle, Washington 98174, on **Tuesday, June 28, 2022, 9:08 a.m.**



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Nica Tovey	29	149			108

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P R O C E E D I N G S

HEARING OFFICER CHEREM: Good morning, everyone. The hearing will be in order. This is a formal proceeding in the matter of Starbucks Corporation, case number 19-RC-297140, before the National Labor Relations Board. The hearing in this matter is being conducted via Zoom. The hearing officer appearing for the National Labor Relations Board is Rachel Cherem.

All parties have been informed of the procedures at formal hearings before the Board by a service of a description of procedures in certification and decertification cases with the notice of hearing. I have additional copies of this document for electronic distribution if any party wants more.

I wish to inform all parties and observers that the official reporter makes the only official transcript of these proceedings and all citations and briefs and arguments must refer to the official record. I want to stress the fact that anything spoken in the Zoom hearing, while the hearing is in session and we are on the record, will be recorded by the official court reporter. In the event that any of the parties wish to make an off-the-record remarks request to go off the record should be directed at me, the hearing officer, and not to the official court reporter.

Each party should be prepared to provide specific reasons in support of any motion or objection in as concise a manner as

1 possible. The objective of the hearing officer in these
2 proceedings is to ensure that the record contains the full
3 statement of facts as may be necessary for determination of the
4 issues by the Board. All parties will be afforded full
5 opportunity to present their respective positions and to
6 produce evidence in support of their intentions. It may become
7 necessary for me to ask questions, call witnesses, or explore
8 avenues with respect to matters not raised or only partially
9 raised by the party.

10 At this time, will counsel please state their appearances
11 for the record? For Petitioner?

12 MR. IGLITZIN: Dmitri Iglitzin, Barnard, Iglitzin &
13 Lavitt.

14 MS. MULTHAUP: Marina Multhaup, Barnard, Iglitzin &
15 Lavitt.

16 HEARING OFFICER CHEREM: And for the Employer?

17 MR. HAMMOND: Ryan Hammond with Littler Mendelson, on
18 behalf of Starbucks Corporation.

19 MS. DIECKMAN: And Alyson Dieckman of Littler Mendelson,
20 on behalf of Starbucks Corporation.

21 HEARING OFFICER CHEREM: Are there any other appearances?
22 Let the record show no response.

23 Are there any other persons, parties, or labor
24 organizations in the hearing room who claim an interest in this
25 proceeding? Let the record show no response.

1 All Counsel, parties, and witnesses are asked to speak
2 loudly and clearly. Counsel parties and witnesses may be asked
3 to spell the names of persons and places on their first
4 mentions for the convenience of the reporter and the accuracy
5 of the record. The parties are encouraged to attend this
6 hearing in a space that is free from distracting background
7 noises, and I request that people set the angle of the camera,
8 particularly witnesses such that I can see their wrist and hand
9 if needed.

10 When you are not speaking on the call, please keep your
11 microphone muted to cut down on distraction. This request, of
12 course, does not apply to the witness who is currently
13 testifying or to counsel who may need their microphones unmuted
14 to make timely objections. Both counsel and witnesses will be
15 reminded to wait two or three seconds before responding to
16 questions to allow for potential for an objection.

17 In the event that an objection is raised, witness should
18 not respond to the question until a ruling is made on the
19 objection. Parties are reminded that there is to be no
20 communication or coaching of witnesses while testimony is going
21 on. And witnesses should not have extraneous documents or
22 other notes present with them while testifying.

23 All right. Formal papers. I now propose to receive the
24 formal papers. They have been marked for identification as
25 Board Exhibits 1(a) through (d) inclusive, Board Exhibit 1(d)

1 being the index description of the entire exhibit. The exhibit
2 has already been shown to the parties.

3 Are there any objections to the receipt of this exhibit
4 into the record?

5 MR. HAMMOND: No objection from the employer.

6 MS. MULTHAUP: None from the Petitioner.

7 HEARING OFFICER CHEREM: Hearing no objections, the formal
8 papers Board Exhibit 1 are received into evidence.

9 **(Board Exhibit Number 1(a) through 1(d) Received into Evidence)**

10 HEARING OFFICER CHEREM: Are there any motions to
11 intervene in these proceedings to be submitted to the hearing
12 officer for ruling? Let the record show no response. Are the
13 parties aware of any other employers or labor organizations
14 that have an interest in this proceeding? Let the record show
15 no response.

16 Turning to pre-hearing motions, I wanted to first talk
17 about the petition to evoke that was just referred to me by the
18 Regional Directors. I -- as we had discussed previously off
19 the record, and I'll repeat it now for the record, I am going
20 to defer ruling on the petition, not necessarily to the end of
21 the hearing, but at least until we've had some chance for
22 Petitioner to review the Employer's response to the petition.

23 We can talk about it later off the record, but I think my
24 proposal would be to wait until maybe before we resume on
25 Thursday morning or something like that. But we can definitely

1 talk about it further. Any questions on that for the petition
2 to revoke? No.

3 MR. HAMMOND: Just a comment, Madam Hearing Officer. We
4 are making a production today, probably during the hearing. We
5 will continue to be working on a production during this
6 hearing. Now, there is a particular couple of requests that
7 seek email correspondence because it's a lot of the
8 communication, frankly, about the decision-making process for
9 the Heritage Market implementation of the Heritage Market was
10 done through email. We have done and will be continuing to do
11 production, that's a rolling production as those become
12 available, and we're doing it as quickly as we can.

13 HEARING OFFICER CHEREM: Great. Thank you for that update
14 and we will definitely continue to touch base about the
15 subpoena. Aside from the Employer's petition to revoke
16 Petitioner's subpoena, are there any other pre-hearing motions
17 made by any party that need to be addressed at this time? Let
18 the record show no response.

19 During off-the-record discussions, the parties discussed a
20 number of stipulations contained in Board Exhibit 2. These
21 include among other items, the Petitioner's labor organization
22 within the meaning of the act, there's no contract bar, that
23 the employer meets the jurisdictional standards of the Board,
24 and certain stipulations with respect to the unit and other
25 matters related to the requested election. This should have

1 been circulated already to the parties and to the court
2 reporter. Are there any objections to the receipt of Board
3 Exhibit 2?

4 MS. MULTHAUP: Not from the Petitioner.

5 MR. HAMMOND: And none from the Employer.

6 HEARING OFFICER CHEREM: Hearing no objections, Board
7 Exhibit 2 is received into evidence.

8 **(Board Exhibit Number 2 Received into Evidence)**

9 HEARING OFFICER CHEREM: As noted in Board Exhibit 2,
10 there's some disagreement as to the appr -- to the appropriate
11 job titles for the unit at issue. And we -- I'm sure this will
12 get -- just for the reader of the record, I'm sure this will
13 get addressed during the course of the hearing.

14 With respect to cases pending in other regions, I take
15 administrative notice of the fact that there are many other
16 petitions pending in other regional offices as well as Region
17 19 involving other facilities of the Employer.

18 Some reminders, the parties are reminded that prior to the
19 close of the hearing, the hearing officer will solicit the
20 parties' positions on election details, including the type,
21 such as mail, manual or partial mail-manual. Best days of
22 week, time location for conducting an election, any dates in
23 which the election should occur in the region, where and how to
24 conduct the count and eligibility period. But litigation on
25 these issues will not be permitted. And I'll also inquire

1 about the need of language ballots at that time. Please have
2 the relevant information with respect to these issues available
3 at the time we close the hearing.

4 Please be -- the parties have been advised that the
5 hearing will continue from day to day as necessary until
6 completed unless the Regional Director concludes that
7 extraordinary circumstances exist. However, we have already
8 been made aware of the Employer seeking to request a schedule
9 change due to some extraordinary circumstances. We have
10 discussed this off the record and we will discuss it formally
11 on the record at the end of the day today prior to adjourning
12 for the day.

13 Board Exhibit 3, the Employer has completed and I have
14 marked for identification as Board Exhibit 3, its statement of
15 position in this matter. I will note for the reader of the
16 record that there is Board Exhibit 3, and then there's also
17 came in today an amended Attachment C to Board Exhibit 3 that
18 would also -- or that would also be included as part of this
19 exhibit. Are there any objections of the receipt of this
20 exhibit into the record?

21 MS. MULTHAUP: None from the Petitioner.

22 MR. HAMMOND: And none from the Employer.

23 HEARING OFFICER CHEREM: Board Exhibit 3 is received and 2
24 as well, in case I forgot to do that.

25 **(Board Exhibit Number 3 Received into Evidence)**



1 HEARING OFFICER CHEREM: Board Exhibit 4, Petitioner has
2 completed and I have marked for identification as Board Exhibit
3 4, as a responsive statement of position in this matter. Are
4 there any objections to the receipt of this exhibit into the
5 record?

6 MS. MULTHAUP: None from the Petitioner.

7 MR. HAMMOND: None from the Employer.

8 HEARING OFFICER CHEREM: Board Exhibit 4 is received.

9 **(Board Exhibit Number 4 Received into Evidence)**

10 HEARING OFFICER CHEREM: Does any party contend that
11 anything other than the Board's standard eligibility formula
12 for voting is required, given the industry in which the
13 Employer is engaged? No. All right. Hearing no comment on
14 that, I will move to the next one.

15 Is there anything else that we need to discuss at this
16 point before I turn to the issues for hearing?

17 MR. HAMMOND: Nothing further from the Employer.

18 MR. IGLITZIN: Nothing further, I think, at this point.

19 HEARING OFFICER CHEREM: Yeah. Just waiting for
20 Petitioners.

21 MR. IGLITZIN: I have -- we'll have questions about the
22 issues for hearing, but I think you're going to get into that.

23 HEARING OFFICER CHEREM: Yes. That is what I'm about to
24 go to next, and you will definitely be able to raise your
25 concerns about the issues for hearing.

1 So moving on to that, based on the positions of the
2 parties set forth in the Employer's statement of position and
3 the Petitioner's response to statement of position, the
4 Regional Director has directed that several issues be litigated
5 amidst the proceeding. As a preliminary matter, Petitioner's
6 petition seeks a single facility bargaining unit comprised of
7 employees of the Employer's facility located at one 102 Pike
8 Street in Seattle, Washington.

9 The Employer, however, contends in its statement of
10 position that the smallest appropriate unit is a district-wide
11 unit covering the employer's three Heritage Market stores in
12 its newly created Heritage District. The Employers advise that
13 because the single-facility bargaining units are presumptively
14 appropriate under Board law, the burden lies with the party who
15 is seeking to rebut this presumption, and the Employer must
16 present specific, detailed evidence in support of its position.
17 General conclusory statements by witnesses will not be
18 sufficient.

19 Two additional issues have also been raised in the
20 Employer's statement of position that will be litigated today.
21 The first is that the Employer argues that the employees, who
22 are referred to as partners, currently employed -- or who were
23 employed at the time the petition was filed were not -- some of
24 them were not going to be at that store at the -- by no later
25 than July 5th. And that in light of this, changes coming up

1 with the Heritage Market, the Employer argues that the petition
2 for unit is subject to the expanding unit doctrine, contending
3 that the current date -- current complement of employees or
4 current complement of employees at the store is not
5 representative in substantial complement of employees.

6 The second issue is that the Employer argues that the
7 petition for unit is comprised of temporary employees
8 contending that the partners employed did not have a reasonable
9 expectation of permanent employment in the unit and should be
10 excluded. The Employer is advised that it must present
11 detailed evidence regarding its contentions, including its
12 reorganization plan that we have discussed previously.

13 Finally, the Employer argues that manual action is
14 appropriate, while the Union argues the mail ballot election is
15 appropriate. The parties are reminded that the details of an
16 election, including whether it is held via mail ballot or in
17 person, the date of the ballots, et cetera, are within the
18 disc -- discretion of the Regional Director and are not able to
19 be litigated for a hearing. However, prior to the close of the
20 hearing, I'll allow each party to briefly see the position as
21 to the election details, and this can also be submitted as an
22 issue on brief after the close of the hearing.

23 Would either party like to -- Dmitri, it sounds like you
24 want to talk about this. Is that something you want to do in
25 an opening statement or is this separate from an opening

1 statement?

2 MR. IGLITZIN: No. I had an inquiry --

3 HEARING OFFICER CHEREM: Sure.

4 MR. IGLITZIN: -- if I may help clarify issues. Among the
5 defenses raised by Starbucks in its statement of position, is I
6 understand it, is the -- the petition was premature because it
7 was an expanding unit?

8 HEARING OFFICER CHEREM: Right. HEARING OFFICER CHEREM:
9 This morning we've received an amended Attachment C, that
10 lists, I think, 37. I'm sorry. Everything's coming, you know,
11 in fast this morning.

12 HEARING OFFICER CHEREM: Um-hum.

13 MR. IGLITZIN: 37 people who apparently have been hired
14 into the three stores that Starbucks claims is the appropriate
15 unit. It was not clear to me today as opposed to, you know, a
16 week and a half ago or whenever the petition was filed, whether
17 Starbucks is still contending that even the 37 people included
18 in the -- in those -- employed at those three stores right now
19 is not an appropriate unit, because it is an expanding unit and
20 that those 47 (sic) don't represent a substantial complement of
21 the unit or whether that issue is no longer being asserted by
22 Starbucks?

23 HEARING OFFICER CHEREM: Employer?

24 MR. HAMMOND: We are still asserting that issue because
25 it's really an alternative argument. Our first argument is

1 that it is a premature petition because the petition for store
2 had employees that are subject to the expanding unit doctrine
3 and as the attachment to Exhibit C -- or Exhibit C to the
4 statement of position reflects, there are only six partners
5 currently working and assigned to the petition for store.

6 There certainly are more partners within the Heritage
7 Market, but within the petition for store, there are just six
8 partners who have been hired and are currently assigned to that
9 particular location. So as it relates to that specific
10 petition for store, I think that is still an ongoing issue with
11 respect to that store.

12 MR. IGLITZIN: I appreciate that clarification. Can you
13 tell us what the number of job positions is anticipated to be
14 at the petition for store? So as we look at this, I think you
15 said six people currently hired, we can understand the universe
16 of -- of ultimate job positions at that store.

17 MR. HAMMOND: Yeah. It -- we'll certainly have a witness
18 who can provide the answer to the ultimate number. I know the
19 number as of the date the petition was filed was approximately
20 24. So I believe, and we'll have to get this from a witness,
21 my understanding is at the time the petition was filed, they
22 were in the process of we were not they did not have a full
23 complement of partners working within that particular store
24 when the petition was filed.

25 And so they expect the number is higher than 24, but they

1 had, in fact, 24 partners employed at that store when the
2 petition was filed. So it would at least be 24. My
3 understanding is it will be more than 24, I just don't know
4 that number off the top of my head.

5 HEARING OFFICER CHEREM: And that is certainly information
6 that, Dmitri, I would expect the Employer to present as part of
7 its case, or if not, I would be requesting it as well.

8 MR. IGLITZIN: Let me just clarify a couple of things --
9 one -- and this is as well. The Employer's Attachment B listed
10 22 employees working at the petition for the store as of the
11 time of the petition, and now I hear you saying 24. Is that --

12 MS. DIECKMAN: The reason for that, Dmitri, that's an easy
13 clarification. Two partners had given their notice at the time
14 that the petition was filed and had left by the time we filed
15 the statement of position. And so I think there were 24
16 partners at the time the petition was filed, but 22 by the time
17 that the SOP was due.

18 MR. IGLITZIN: Great. I hope that all of our -- all my
19 confusion can be so easily clarified. Last question while
20 we're clarifying.

21 HEARING OFFICER CHEREM: Sure.

22 MR. IGLITZIN: This morning, Counsel sent an Excel
23 spreadsheet listing a roster of Heritage operators post-
24 Heritage movement. As we were discussing on Appendix B to the
25 statement of position, 22 people were listed as employed in the

1 petition for a bargaining unit at 1st and Pike. In the Excel
2 spreadsheet that was just provided, I see information -- I'm
3 looking at the post-Heritage movement tab. There's information
4 listed for 16 workers who were on a list of Appendix B, the
5 statement of position. And that means that there are, as I
6 count, six people who are on Attachment B to the statement of
7 position who are not reflected on the post-Heritage movement
8 Excel spreadsheet. There's nothing --

9 MS. DIECKMAN: So there are --

10 MR. IGLITZIN: Yeah. Go ahead.

11 MS. DIECKMAN: So 16 partners who moved stores, six
12 partners who remain at 1st and Pike, 16 plus 6 is 22, and then
13 the two partners who had given their notice previously. Does
14 that help clarify?

15 MR. IGLITZIN: That's extraordinary. So if I compare the
16 names, I'm going to see -- of the list of 22 -- I mean, I
17 should I understand, you know, you can't swear everything in be
18 record. But conceptually, 22 people on Attachment B, 16 are on
19 post-Heritage movement as having moved stores and 6 will be on
20 the amended Attachment C that got circulated this morning?

21 MS. DIECKMAN: I believe that that is accurate.

22 MR. IGLITZIN: All right. Great. And I won't hold you to
23 it, I just -- that makes sense. I understand the numbers and
24 realize that slippage and breakage while we're trying to do
25 this. But I appreciate that clarification a lot. And

1 honestly, I didn't mean to delay other things, but --

2 HEARING OFFICER CHEREM: Nope. No. All good. This is
3 what we're here to do. So always better to clarify the scope.
4 I was just going to ask if that was our still -- our standing
5 of the issues that we're hearing today, and it sounds like the
6 answer is yes. Would either party like to make a brief or
7 opening statement? Either you're welcome to do that now or
8 wait prior to your case-in-chief.

9 MR. HAMMOND: The Employer would like to do it now.

10 HEARING OFFICER CHEREM: Okay.

11 MR. IGLITZIN: If we could break for five minutes, that
12 would be helpful for me, now that I understand what we're
13 doing.

14 HEARING OFFICER CHEREM: Okay. Off the record.

15 (Off the record at 9:28 a.m.)

16 HEARING OFFICER CHEREM: All right. We are back on the
17 record after a brief break this morning to allow some
18 clarifications for some of the lists of employees that were
19 provided, including the amended Attachment C that had been
20 provided this morning. It came to our attention that there
21 were some inadvertent issues with that, and that has
22 subsequently been circulated to the parties and updated. So
23 there will be a second amended Attachment C to the Employer's
24 statement of position that will be, I guess, added as Board
25 Exhibit 3(b), I guess, or part of Board Exhibit 3.

1 Jackie, whatever works best for you on that.

2 Dmitri, do you want to go ahead and explain what your
3 understanding is of this updated portion of Board Exhibit 3?

4 MR. IGLITZIN: Yes. Except -- I'm sorry. I don't have
5 Board Exhibit 3 open, what are we -- is that Attachment C?

6 HEARING OFFICER CHEREM: Yes. Attachment C is -- the
7 statement of position comes in as Board Exhibit 3, so I'm just
8 having the Attachment C be 3(a) or (b), whatever is next.

9 MR. IGLITZIN: So based on discussion with counsel,
10 Attachment C -- the amended Attachment C represents the
11 employees in the bargaining unit that Starbucks -- employees
12 who Starbucks says are currently working in the three stores
13 that are the bargaining unit that Starbucks says is the
14 smallest appropriate unit. That exhibit shows six employees
15 employed at the 1st and Pike store. So those six employees
16 also appear on attach -- what was Attachment B to Starbucks'
17 statement of position, as having been people who were
18 employed -- employed at 1st and Pike on the date the petition
19 was filed.

20 HEARING OFFICER CHEREM: Employer, any comments or
21 corrections as to updated Attachment C?

22 MR. HAMMOND: No.

23 HEARING OFFICER CHEREM: All right. Any objection to
24 entering updated Attachment C as Board Exhibit 3(b)?

25 MR. HAMMOND: No objection from the Employer.

1 MS. MULTHAUP: None from the Petitioner.

2 HEARING OFFICER CHEREM: All right. Hearing no objection,
3 the updated Attachment C to the Employer's statement of
4 position is admitted.

5 **(Board Exhibit Number 3(b) Received into Evidence)**

6 HEARING OFFICER CHEREM: With -- and Jackie, did admit all
7 the other board exhibits.

8 THE COURT REPORTER: Yes, you did, Madam Hearing Officer.

9 HEARING OFFICER CHEREM: Perfect. Okay. With that,
10 I -- we're now going to turn to brief opening statements for
11 the parties. First, I'll -- I'll give the floor to the
12 Employer. Then Petitioner will be able to give its opening
13 statement as well. And then we will begin with the Employer's
14 witnesses.

15 Employer, opening statement?

16 MR. HAMMOND: Thank you, Madam Hearing Officer. In late
17 March 2022, Starbucks employees called partners who work in
18 Starbucks' first store, which is located within Pike Place
19 Market, shared feedback about ways to enrich the partner and
20 customer experience at stores in and around Pike Place Market.
21 Area 10, which is the area for Pike Place -- the Pike Place
22 store was in the process of scheduling store meetings designed
23 to give partners an opportunity to share ideas to improve the
24 partner and customer experience.

25 In early April, Regional Director Nica Tovey scheduled a



1 store meeting for the partners at 1st and Pike to provide a
2 space for partners to share their ideas. The information
3 partners provided was inspiring and insightful. The energy and
4 enthusiasm of the partners did not provide enough time to
5 complete the discussion. As a result, Ms. Tovey scheduled a
6 second meeting at the Pike Place Market Store, as well as
7 meetings at stores throughout Region 10, including meetings at
8 the 1st and Pike store, the petition for store, and the 1st and
9 University store, which both are adjacent to Pike Place Market.

10 In response to the suggestions and ideas of partners
11 working in the stores in or around Pike Place Market, including
12 a strong desire -- including a strong desire to do more to
13 connect the history of coffee, community, and culture, on May
14 6th, 2022, Starbucks decided to establish the Heritage Market
15 connecting the Pike Place Market Store and the two that border
16 it, along the -- along with the partners who lead them.
17 Together, these three distinct locations in Starbucks' hometown
18 of Seattle, represent the company's historic past, which is
19 Pike Place Market Store. Its presence 1st and Pike and its
20 reimagined future 1st and University.

21 The three stores offer an elevated experience for partners
22 and customers steeped in the rich history of coffee, culture,
23 and connection that is synonymous with Starbucks. Starbucks
24 began announcing the Heritage Market concept to leaders in the
25 three stores the week of May 16. Beginning the following week,

1 on May 23rd, Starbucks began to share the news with partners in
2 the three stores through individual connections. By the end of
3 the week of May 23rd, Starbucks announced the Heritage Market
4 concept to all partners in Region 10 and throughout the Puget
5 Sound area.

6 The Heritage Market differs from other Starbucks markets
7 and districts, which have been the subject of our hearings in
8 Region 19 and throughout the country. In the Heritage Market,
9 the baristas, who have the job title of heritage barista, have
10 greater job duties, including working and knowing how to work
11 in all three stores, each of which is operationally different.
12 Having the skills to operate unique and complicated equipment
13 found only in two of the stores, learning and retaining in-
14 depth information about Starbucks history, coffee, and
15 heritage, and knowledge of products only made available within
16 the three stores.

17 Further, partners working within the Heritage Market will
18 be able to complete the coffee masters program and become
19 certified coffee masters as part of their training and support
20 and assist customers to have unique coffee craft experiences,
21 cultural immersions, and educational opportunities. These
22 added job duties, as well as others, distinguish heritage
23 baristas from baristas and other retail stores, referred to as
24 core stores, which is why the Heritage Market baristas have
25 higher pay -- a higher pay range than other baristas.

1 Similarly, heritage shift supervisors have more job
2 responsibilities and duties than shift supervisors in core
3 Starbucks stores. By way of example only, heritage shift
4 supervisors are expected to know how to do all the duties of a
5 heritage barista so that they can train them on their unique
6 job responsibilities. And they are expected to learn to
7 maintain inventory control skills to ensure that the stores are
8 adequately supplied and not oversupplied, which is a much more
9 complicated task in these three stores, as opposed to the core
10 stores due to the volume of the product, the limited inventory
11 space and the broader scope of products sold within the
12 Heritage Market.

13 Because of the specialized training and knowledge needed
14 to work within the Heritage Market stores as well as the higher
15 pay offered, Starbucks posted the Heritage Market openings and
16 required the partners to apply through a competitive process.
17 This process is consistently followed by Starbucks when it
18 creates new roles within the company that result in higher
19 compensation opportunities or enhanced opportunities for career
20 development and progression.

21 Starbucks notified all the partners in the three stores of
22 the expectations of heritage baristas and heritage shift
23 supervisors, encouraged -- and encouraged every partner in
24 those stores to apply. In addition, due to the specialized
25 training and knowledge of partners working in the Heritage

1 Market, Starbucks requires the partners working within the
2 heritage market to work within all three stores, providing
3 ultimate flexibility in staffing and coverage, and does not
4 permit heritage partners to cover shifts outside the heritage
5 market. Similarly, non-Heritage Market partners are not
6 permitted to work within the Heritage Market, because they
7 don't have the skills, knowledge, and training necessary to be
8 successful in those three stores.

9 The ultimate goal of the heritage market is to celebrate
10 Starbucks' heritage, coffee and culture and to provide an
11 enhanced experience for partners and customers. Heritage
12 partners will serve as ambassadors for Starbucks' mission and
13 values that are the foundation of the company. Again, this
14 innovative project is a direct result of feedback from
15 Starbucks partners who wanted a closer connection to Starbucks
16 heritage, along with an enhanced focus on coffee, craft, and
17 community.

18 On June 6th, 2022, well after Starbucks announced it began
19 to implement the Heritage Market, the Union filed a petition
20 seeking to represent partners at the 1st and Pike store, just
21 one of the three stores within the Heritage Market. As
22 described already, inconsistent with Board law, a single store
23 unit is not an appro -- is not appropriate in this case, given
24 the integration and cohesive nature of the Heritage Market.

25 Further, because the Union filed a petition mid-

1 implementation of the Heritage Market, the petition is
2 premature. At the time, Starbucks announced the Heritage
3 Market to its partners, about 22 partners, baristas, and shift
4 supervisors worked within the 1st and Pike store. Half of
5 those partners did not apply for roles within the Heritage
6 Market, instead opting to transfer to nearby stores based upon
7 preferences they submitted to Starbucks.

8 Of that 12 applied, Starbucks selected 6 of those partners
9 for the Heritage Market and transferred the other partners to
10 the nearby stores, again, based upon the preferences of
11 partners submitted to Starbucks. As of the date of the
12 hearing, Starbucks had not hired 30 percent of the partners
13 working in 50 percent of the job classifications the Union
14 seeks to represent. Of course, Starbucks is continuing the
15 hiring process even this week. And the date Starbucks will
16 have hired a full complement of partners to work at the 1st and
17 Pike store, as well as the other stores in the Heritage Market
18 remains unknown. Based upon Board law, the region should
19 dismiss the petition as premature. Thank you.

20 HEARING OFFICER CHEREM: Thank you, Employer.

21 For the petitioner, Mr. Iglitzin?

22 MS. MULTHAUP: Thank you. Just a quick opening statement.
23 As the Employer noted, on June 6th, 2022, the workers at 1st
24 and Pike petitioned for a union. At that time, 1st and Pike
25 had a stable workforce of 22 people, and it functioned pretty

1 much exactly like every other Starbucks store. And the region
2 could look at the extensive records created in all of the other
3 R hearings to get a good picture of what was happening at 1st
4 and Pike. Minimal levels of borrowing other stores. 1st and
5 Pike was managed on a day-to-day basis by the individual store
6 manager. There was close commodity and companionship between
7 the 22 workers who worked there.

8 And then last week, Starbucks announced that 15 of the 1st
9 and Pike workers don't work at that store more. In fact, they
10 had already worked their last shift, because they had either
11 failed to qualify for their own jobs that they had been doing
12 for years and were forcibly transferred to other stores. Or
13 they had been constructively discharged when they had been
14 given a couple of days to reapply for the jobs that they been
15 doing for years with other opportunities that were only
16 available in very discrete times that not everyone could make.

17 So Starbucks can wax poetic all it wants and try to say
18 that this decision, where it forcibly transferred its unionized
19 employees to other stores and is forcing the newly hired
20 employees to work at multiple stores, is just a mutual attempt
21 to preserve its heritage and creates its coffee connection for
22 the tourists. But in reality, this is a union-busting tactic,
23 and it needs to be disregarded by the Region when the Region
24 makes its determination regarding the appropriate unit here.

25 Starbucks claims that the mobile-only 1st and University

1 store is its future. But the truth is that Starbucks' future
2 is a unionized workforce, where its workers can collectively
3 bargain about the terms and conditions of their employment.
4 And the record will show that the workers at 1st and Pike, who
5 worked there on June 6th, 2022, are entitled to vote for their
6 election. And we ask that the Region order an election for the
7 petition for orders promptly and without further delay.
8 Thanks.

9 HEARING OFFICER CHEREM: Thank you, Petitioner.

10 Employer, are you prepared to proceed with your first
11 witness?

12 MR. HAMMOND: Yes. The Employer calls Nica Tovey.

13 HEARING OFFICER CHEREM: Good morning. Please raise your
14 right hand.

15 Whereupon,

16 **NICA TOVEY**

17 having been duly sworn, was called as a witness herein and was
18 examined and testified, telephonically as follows:

19 HEARING OFFICER CHEREM: Can you please state and spell
20 your name for the record?

21 THE WITNESS: Yes. My first name is Nica, spelled
22 N-I-C-A. Last name, Tovey, T-O-V, as in Victor, E-Y.

23 HEARING OFFICER CHEREM: Thank you.

24 Your witness, Employer.

25 MR. HAMMOND: Thank you.



DIRECT EXAMINATION

1

2 Q BY MR. HAMMOND: Ms. Tovey, who is your current employer?

3 A Starbucks Coffee.

4 Q And what is your job title there?

5 A I'm a regional director of operations.

6 Q And as the regional director of operations, do you have a
7 geographic location assigned to you?

8 A Yes, I do. I support the Seattle metro area, as well as
9 the Olympic Peninsula, specifically from Gig Harbor out to
10 Sequim and up to Kingston.

11 Q How long have you been in that role?

12 A I've been in the regional director role now for, it will
13 be four years this fall.

14 Q And could you -- I'm sure there's quite a few, but could
15 you just highlight for us a few of your job duties as a
16 regional director?

17 A Yes. So I am involved with market planning, site location
18 hiring and promoting leaders into district manager roles, day-
19 to-day operations, financial success, and P & L hiring, some of
20 the basic things, day-to-day operations.

21 Q And who do you report to?

22 A I report to Jessica Borton. She's our regional vice
23 president.

24 Q And then are there partners who report to you?

25 A Yes. I have eight district managers.



1 Q Approximately how many stores are in the area that you're
2 responsible for?

3 A I support 84 locations.

4 Q How long have you worked for Starbucks?

5 A Next month, at the end of July, it will be 23 years.

6 Q Can you walk us through your career progression briefly at
7 Starbucks over those nearly 23 years?

8 A Sure. No problem. So I was hired in 1999 as an assistant
9 store manager for Starbucks. And from '99 to 2008, ran a
10 myriad of different store types for Starbucks in the capacity
11 of store manager. I then moved into district manager in 2008
12 and supported -- my first district was in west -- southern
13 Washington. I was there for about a year and a half or so and
14 then was asked to come to the city and support here in Seattle.
15 And then in 2018-ish, I was promoted to what's called -- at the
16 time, it was called a FIM, a field implementation manager,
17 which later turned into a ROC, regional operations coach. And
18 then from there, I was promoted into a regional director
19 position.

20 Q And as a district manager, when you had that role,
21 generally how many stores would have been in the district that
22 you were responsible for?

23 A Yeah. At that time, it ranged from 10 to 13 in a
24 district.

25 Q The Heritage market, which is going to be discussed during

1 your testimony, how many stores are in the Heritage Market?

2 A There are three.

3 Q And is there someone in a DM or district manager type role
4 that has responsibility for the Heritage Market?

5 A Yes, there is. Her name is Cora Carter.

6 Q Can you spell that just for the record?

7 A Sure. No problem. C-O-R-A. Last name, Carter,
8 C-A-R-T-E-R.

9 Q Thank you. While you were working as a district manager,
10 did you ever have occasion where you had responsibility for a
11 smaller district than the typical size that you described?

12 A Yes, I did. When I was in the Seattle metro market
13 supporting Pike Place in 2014, 2015, for a short time frame
14 across that span, we did just have two stores as a district in
15 which I was overseeing. Those two stores were Pike Place store
16 301 and 1st and Pike store 14870.

17 Q During that time period, did Starbucks have a store at 1st
18 and University?

19 A No, sir.

20 Q And why was it that you were assigned to a smaller
21 district at that time?

22 A Yes. We were going through a lot of leadership change and
23 we were about to open our very first roastery up on Capitol
24 Hill. And so there was a lot of work and support that went
25 into hiring partners, supporting partners, and getting the

1 market in total ready to support the roastery that was opening,
2 as well as leadership change at the store manager level for the
3 first store and for 1st and Pike.

4 Q And when you say the first store, that's the Pike Place
5 store, store 301?

6 A Yes, that's correct.

7 Q Do you know why those two stores were selected for this
8 smaller district, Pike Place and 1st and Pike?

9 A Yes. Who were again readying the roastery? There was a
10 very, very large convention, Seattle Coffee Associa --
11 Specialty Coffee Association of America. Starbucks was hosting
12 quite a lot of leadership in -- to support the roastery. And
13 those people that were visiting would also be going to the
14 first store and our store located at 1st and Pike.

15 Q And I used the term a minute ago, Heritage Market, can you
16 tell us what that is?

17 A Yes. So the Heritage Market represents the three stores.
18 So the first store being our history and where it all began.
19 1st and Pike represents our core, our somewhat day-to-day
20 operations, what a core store environment would look like. And
21 then the 1st and University store is referred to as a pickup or
22 a grab-and-go model, and that represents the future. So a lot
23 of technology and innovation and testing in that store.

24 Q Can you tell us -- it's my understanding the stores are
25 different in format and how the customers interact with the



1 partners in the stores. Can you tell us kind of the setup for
2 each of the three stores?

3 A Sure. I'll start the first store. So the first store is
4 pretty unique, in that it has specialized equipment and so it
5 has special -- special grinders that support the steam-driven
6 or manual espresso machine that the store has. It also has an
7 elevated pour-over, so a different way that customers can,
8 should they elect, to get their brewed coffee. It also has no
9 food, and so there is no food sold in the first store. And it
10 has a really unique lineup of retail items and distinct
11 coffees.

12 We also have a really unique relationship with the Pike
13 Place Market itself. And so partners in the store work with
14 Pike Place Market. We work within the rules of the Pike Place
15 Market itself. So even how customers line up, how customers
16 are supported to get into the store. It's all very different
17 from a core store. There's also immense retail management that
18 needs to happen. Customers buy a lot of merchandise and buy a
19 lot of coffee from this location. And so leaders in this
20 location have to have pretty extensive retail inventory
21 management duties and day-to-day activities that they
22 participate in. At --

23 Q So yeah. Before you get to the next one, a couple of
24 questions about the first store.

25 HEARING OFFICER CHEREM: And again, this is the first

1 store being Starbucks' first store within Pike Place Market on
2 Pike Place?

3 THE WITNESS: Yes, ma'am.

4 HEARING OFFICER CHEREM: Okay.

5 Q BY MR. HAMMOND: Is there anything different about that
6 store with respect to where you can place inventory or store
7 merchandise?

8 A Yeah. Sorry. There's no space. And so what happens in
9 that location is each day the delivery truck will show up and
10 they actually fill the lobby, where the customers later will
11 come in. And so the partners have to unpack, unbox, and put
12 away an order. And so they have onsite storage and they also
13 have offsite storage. So there's some pretty intense product
14 management that needs to be moved around in that first store.

15 HEARING OFFICER CHEREM: I have two quick clarifying
16 questions. Are you referring to the time period up until when
17 it becomes a heritage store, or is this how it's going to be?

18 THE WITNESS: This is current state and will be
19 continuing.

20 HEARING OFFICER CHEREM: Okay. Thank you.

21 Q BY MR. HAMMOND: The -- I may have missed it, but you
22 mentioned that there's unique grinders there. Is there any
23 kind of unique espresso or other type of machines there?

24 A Yes. The espresso machine at the first store, Pike Place,
25 is a manual espresso machine. And so what that means is each

1 partner needs to handcraft not only the coffee beans to the
2 right weight ratio, the right grind consistency, they also have
3 to put it into the machine, which is very different than what
4 we have in our other two locations in the Heritage Market. So
5 it's all a manual process weighted out by shop, by each
6 barista.

7 Q At -- let's go to the next store, 1st and Pike, which is
8 the petition for store. Can you tell us how that one is set up
9 compared to the one you just described, the first store?

10 A Sure. So at 1st and Pike, the store has all of our normal
11 food offerings of any core environment store. So they have
12 food. They also have some select coffees as well, similar to
13 the first store. They have a manual expression -- espresso
14 machine called a Mastrena 2, in which the grinding and brewing
15 and shot pulling are all encompassed within the one unit. They
16 also have a single pour-over, a bit different than the elevated
17 pour-over and normal brew equipment.

18 They do not have the line complexities that are beholden
19 to us in the Pike Place Market, and quite frankly, they have a
20 smaller customer pool waiting to get into that store. But it
21 is more of the day-to-day core operations with some slight
22 differences in product assortment, size of the team working.

23 Q You had said select beverages. So these are beverages
24 that are provided at that particular store that are provided at
25 core stores?

1 A Correct. So the first store, Pike Place, and 1st and Pike
2 have a specific coffee that's available only to those two
3 locations called Pike Place Special Reserve. You can order any
4 beverage at those two locations and opt into having that coffee
5 that is only available in those two stores as your coffee
6 selection for any beverage of your choice.

7 HEARING OFFICER CHEREM: And again, to clarify for the
8 time frame you're referring -- describing for the 1st and Pike
9 Store, is that how it used to operate before that proposed
10 heritage change?

11 THE WITNESS: No. That's current state operations.

12 HEARING OFFICER CHEREM: And when we say current state
13 operations, has it already switched over into heritage mode?

14 THE WITNESS: Not yet. The partners that have been hired
15 in are in training.

16 HEARING OFFICER CHEREM: Okay. Do we have an approximate
17 date, and I'm sure we'll get to this, for when things -- just
18 so I can clarify for the record when she says current state,
19 when are we looking at switching into heritage mode?

20 Ryan, do you know this?

21 MR. HAMMOND: Yeah. Yeah.

22 HEARING OFFICER CHEREM: Um-hum.

23 MR. HAMMOND: Well, I think -- I think she's confused by
24 the question because they're in the process --

25 HEARING OFFICER CHEREM: Okay.

1 MR. HAMMOND: -- of implementing the heritage mode.

2 HEARING OFFICER CHEREM: I see. Okay. So sorry. When we
3 refer to current state, it is not yet heritage mode, like full
4 heritage mode, partial heritage mode, anything? I'm just
5 trying to clarify for the reader of the record. Like, is what
6 it was today the same as it was, like, three months ago?

7 MR. HAMMOND: Yeah. Maybe I can ask some -- some
8 clarifying questions --

9 HEARING OFFICER CHEREM: Sure.

10 MR. HAMMOND: -- to get to what I think you're looking
11 for.

12 HEARING OFFICER CHEREM: Yeah.

13 Q BY MR. HAMMOND: So what you just described, Ms. Tovey, as
14 to the 1st and Pike store, is that the way it was when -- prior
15 to the Heritage Market being implemented, or is that where it's
16 hoping to be once Heritage Market is fully implemented?

17 A That's prior.

18 Q Okay.

19 HEARING OFFICER CHEREM: Thank you.

20 Q BY MR. HAMMOND: And when you described a minute ago the
21 1st and Pike store, that was what it was like prior to the
22 commencement of implementation of the Heritage Market. And
23 there's other things that will happen after the heritage market
24 is fully implemented?

25 A That is correct.

1 Q And so the third store, which is a representation of
2 future, 1st and University, can you tell us what the setup was
3 for that store before the Starbucks started to implement the
4 Heritage Market?

5 A Yes. So that store is and has been designed as a future-
6 forward concept called pickup. And in the pickup model, about
7 85 percent of the customers order their beverages using a
8 device, so on their phone. It has a unique lobby with no
9 seating and it's allowed for a customer to come in and have a
10 seamless pick up their coffee and go, and most times not a need
11 to interact with the barista. So it's a grab-and-go model.

12 It has unique equipment such as a different point-of-sale
13 and a different type of cabinet, so that at times there may not
14 even be a POS on a counter. That's in test. It also has a
15 digital order screen to let the customer know when their
16 beverage is ready, what their bever -- what pieces may they
17 still be waiting on. So it's a really seamless transaction for
18 the customer to be able to come in quickly, pick up their
19 beverage and go.

20 HEARING OFFICER CHEREM: You used POS. Can you just
21 explain what that is for the record?

22 THE WITNESS: Yes, ma'am. It's a point-of-sale.

23 Q BY MR. HAMMOND: So 1st and University, the point-of-sale,
24 typically for about 85 percent of the transactions occurs
25 through a mobile device before the customer even arrives at the

1 store?

2 A That's correct.

3 Q So there's a lot less volume, I'm presuming, at the
4 register compared to your core stores?

5 A Yes.

6 Q Are there any unique beverages at that store like they are
7 at the other two stores?

8 A Not currently, no.

9 Q Okay. And since we're -- the issue has come up about what
10 the current is compared to the future, could you tell us, at
11 least currently, what the plans are with respect to any
12 changes? Is that each of these three stores, once Heritage
13 Market is fully implemented as planned?

14 A Yes. Absolutely. So very minimal changes to the first
15 store. So Pike Place, as it is, and has been, not a lot has
16 changed in that location. So most of what is there will be
17 preserved and intact. At 1st and Pike, we have recently in the
18 last few years renovated that store to be able to add in
19 additional equipment, make modifications to case work, and
20 expanded some of this space where the baristas produce both
21 food and beverages to accommodate additional testing and
22 implementation that could be done in that location. Currently,
23 the store is closed. And there is some construction being done
24 to support future enhancements and overall some improvements to
25 the store in general, such as flooring, some work in the case

1 work around the food ovens, and some work in the case work
2 around the espresso stations to support some potential upcoming
3 testing that that store in the Heritage Market setup will be
4 able to accommodate.

5 And then, at 1st and University, one of the things that we
6 are doing there is to provide a manual espresso machine and the
7 unique grinders that go with it that we talked about before, so
8 that partners would have a really great place to train and
9 learn how to run the additional equipment, not customer facing.
10 So they'll be a training set up in that place. We're also
11 adding a different type of ice machine equipment for
12 sustainability that we are testing. And then, we are doing
13 some pretty significant construction to push out the walls to
14 provide a training space and place for our partners and
15 external customer business relationship partners when they come
16 to visit to do their immersions in this three-store market,
17 which is a frequent occasion pre-Heritage. And we expect to
18 increase post.

19 Q Are there reasons for using the 1st and University store
20 as a training location, as opposed to the other two stores in
21 the Heritage Market?

22 A Yes. The size of the square footage of the store is a
23 smaller footprint for customers. Because, again, it's the Grab
24 and Go model, so no restrooms, no seating. Customers can go in
25 and out very quickly. But the back-of-the-house operations and

1 the back-of-the-house manager workstation is quite
2 significantly larger, and therefore, provided us the
3 opportunity and space for this Heritage team to use this store
4 a bit differently for training, onboarding, and immersions.

5 HEARING OFFICER CHEREM: Before we get too much further, I
6 had some clarifying questions, just for the record, from your
7 description before. When you say immersions, what does that
8 mean?

9 THE WITNESS: Yes. So at Starbucks, when you are hired in
10 to our corporate offices, your training very often also
11 includes an immersion. An immersion is an opportunity for you
12 to go and visit this trio of stores, formerly two, now three,
13 this trio of stores to learn about our past, our current, and
14 our future. And so an immersion is where a leader will opt
15 into, or be assigned by their direct leader, an opportunity to
16 go and participate in the day-to-day operations as in the life
17 of a barista, a shift supervisor, and a store manager to
18 understand the day-to-day operations and be able to gather that
19 culture, the coffee, and connection to our brand in those three
20 stores.

21 HEARING OFFICER CHEREM: I think, you also mentioned
22 testing?

23 THE WITNESS: Yes.

24 HEARING OFFICER CHEREM: What does that mean?

25 THE WITNESS: We rapidly test products and equipment and

1 things of that nature here in our hometown market with high
2 frequency.

3 HEARING OFFICER CHEREM: And then lastly, you said that
4 1st and Pike is closed. Do you know, and if you don't, that's
5 okay, about when it closed and about when it's set to reopen?

6 THE WITNESS: We closed, I believe, last Tuesday. I would
7 have to look at a calendar to be exact. And once the
8 construction and staffing levels are back up, we will open.

9 HEARING OFFICER CHEREM: So --

10 THE WITNESS: So this --

11 HEARING OFFICER CHEREM: Okay.

12 THE WITNESS: -- at this point, we don't have a -- a
13 confirmed date.

14 HEARING OFFICER CHEREM: Okay. So it closed on
15 approximately Tuesday, June 21st? I'm looking at a calendar.

16 THE WITNESS: I believe so. I would need to look at a
17 calendar to confirm.

18 HEARING OFFICER CHEREM: Sure. Okay. And then, do you
19 know if it's -- it's set to be weeks or months or no idea?

20 THE WITNESS: At this time, we don't have a confirmed
21 reopen date.

22 HEARING OFFICER CHEREM: Okay. Thank you.

23 Q BY MR. HAMMOND: You talked about leaders that would come
24 into the immersion. Does that include leaders that actually --
25 don't actually work within any of the stores? For example, a

1 human resources professional, might they be asked to go and do
2 an immersion at these three stores?

3 A Absolutely. So we have many different partners who would
4 come and visit and have an immersion in this market. It could
5 be someone working on our tech team, someone in our PRO team,
6 you name it. We believe in the opportunity to go and learn,
7 again, culture, coffee, and connection from the 1st store, 1st
8 and Pike, and 1st and U.

9 Q You referred to PRO team. Can you tell us what PRO stands
10 for?

11 A Yes. It's a partner relations office -- partner relations
12 officer -- operations, I believe, our PRO, HR.

13 Q That's what I was going to ask. So -- so PRO at that
14 Starbucks is similar to human resources at other employers?

15 A Yes. That's correct.

16 Q And you talked about that -- that the 1st and Pike store
17 is closed right now for these renovations and also as you're
18 ramping up for staffing. The partners that were impacted by
19 that closure, what is -- what are they doing right now?

20 A Yes. So partners that were impacted by the closure, no
21 partners received any loss of wages. And so all partners were
22 given the opportunity to work schedules that were written in
23 their store at the store location of their choice.

24 Q Do you have responsibility for the Heritage Market?

25 A Yes.



1 Q And what is that?

2 A My responsibility is to support the district manager in
3 the day-to-day operations, as well as the store managers,
4 and -- and onboarding OCM, who will also work directly in this
5 market. And OCM stands for an operations consultation manager.
6 And that leader will also be a part of this market.

7 Q How was the -- if you know, the idea of the Heritage
8 Market can see, where did it come from?

9 A Yeah. So early April, we were having conversations with
10 partners in all three of these locations, and in fact, the
11 locations across my area, in total. And what we learned from
12 the partners, specifically in these three stores, is that they
13 wanted more day-to-day connection with their leaders. They
14 wanted more time to be able to have the opportunity to host
15 immersions or host experiences for partners coming in. So
16 current state, those hosting opportunities are really limited
17 to the salaried leaders. And the hourly partners really wanted
18 to be a part of that, and in fact, wanted more opportunity to
19 invite more leaders into the Heritage Market to come and learn.

20 They also wanted more opportunity to continue to partner
21 in a more elevated way with the Pike Place Market community, so
22 things like volunteer hours together, time where they could
23 learn more history and culture about the Market, specifically,
24 in all three locations. Because our customers very frequently
25 visit all three locations. And so being able to have a really

1 foundational knowledge about what each store represents, how it
2 folds into our Starbucks history, and then, a general overview
3 of what our Starbucks' history is. So there is a lot of
4 questions that get asked of these partners about Starbucks,
5 Starbucks in general, our partnerships in the market, that are
6 pretty unique. And so our partners really wanted more time and
7 more training.

8 The other thing is, they get a lot of questions about
9 coffee. And we have an opportunity to support these partners
10 with their ask of additional coffee knowledge, additional
11 coffee training. And so things like Coffee Master, Coffee
12 Academy, and the like, so that partners can have a more robust
13 customer knowledge around coffee as well. And then finally,
14 customer service. The customer who's visiting these three
15 locations -- well, two of the three, specifically, want a
16 different interaction. They want more time with the barista.
17 They want the barista to be very knowledge, and frequently have
18 questions that another core store wouldn't necessarily be asked
19 from a customer, so an elevated customer experience and more
20 time and opportunity to connect longer with our guests.

21 Q You -- you had described these conversations that you were
22 having with partners in these stores, as well as throughout
23 your district. What was the -- the format of those
24 conversations?

25 A Yes. We first met with our shift supervisor team. And

1 I -- I believe it was early April. And from there, the shift
2 supervisors really encouraged us to pull all of our hourly
3 partners and salaried partners together, so that we could
4 learn. It's pretty large teams in these two, 1st and Pike and
5 Pike locations, to be able to hear what our hourly baristas
6 were also -- what was on their mind and how they wanted to be
7 involved. And so our first meeting was with shift supervisors,
8 and then subsequently, two meetings after, specific to Pike
9 Place, with the hourly partners.

10 Q And then, did you have a meeting with the partners at 1st
11 and Pike?

12 A Yes, we did. So the district manager, store manager, and
13 all hourly partners, we had such incredible reaction from the
14 1st store, that we not only met with the 1st and Pike partners
15 and asked similar questions and shared their insights, but as
16 well with the 1st and University team, and subsequently across
17 the entire area.

18 Q And so when you say area, that's -- you were doing this
19 throughout the 84 stores that you said you had responsibility
20 for?

21 A Yes, that's correct.

22 MR. HAMMOND: I'm going to ask my colleague, Aly (phonetic
23 throughout) if she would display Employer Exhibit 1?

24 MS. DIECKMAN: Yep. Give me one second here. I'm just
25 struggling with my computer.

1 HEARING OFFICER CHEREM: Has that been circulated?

2 MS. DIECKMAN: No. I'm -- my legal system is working on
3 getting them all --

4 HEARING OFFICER CHEREM: That's okay.

5 MS. DIECKMAN: -- loaded.

6 HEARING OFFICER CHEREM: That's fine.

7 MS. DIECKMAN: It's just taking her a minute. She's --

8 HEARING OFFICER CHEREM: No. That's totally fine. I just
9 wanted to make sure I didn't miss it, and everybody else had
10 it.

11 MS. DIECKMAN: Now, let me share my screen.

12 Q BY MR. HAMMOND: Ms. Tovey, are you able to see what's now
13 displayed on the screen and has been marked as Employer Exhibit
14 1?

15 A Yes.

16 Q And this is -- looks like a slide deck that's dated April
17 18th, 2022?

18 A That's correct.

19 Q Can you tell us what this is?

20 A Yes. So these were -- after each meeting, the two store
21 meetings that we had, the partners wanted to know in one one-
22 stop shop what some of the feedback was and what we were taking
23 action on. So this is a summary of those notes from those two
24 meetings.

25 Q And so April 18th, 2022, is that after these two meetings

1 would've already occurred.

2 A I believe April 18th was the first meeting. And we had a
3 second meeting after.

4 Q Okay. So we're going to scroll down here. So we're now
5 looking at page 12 of Employer Exhibit 1. There's a slide
6 dated April 25th, 2022. Is that the date of the second
7 meeting?

8 A Yes. That's correct.

9 Q Okay. And does Employer Exhibit 1 accurately reflect the,
10 I guess, summaries of information shared by partners during
11 these meetings at Pike Place?

12 A Yes.

13 Q And was this -- were these summaries, or slide decks,
14 shared with the partners at some point?

15 A Yes. So coming out of the meeting, both meetings, the
16 team was provided the deck and given an opportunity to, if they
17 had not thought of something in the moment, during that meeting
18 they were able to continue to add to it, build to it, and just
19 revisit some of the things to continue to gather ideas.

20 Q And so this --

21 A So yes.

22 Q Oh. So this -- this slide deck then was shared with the
23 partners at 1st and Pike?

24 A Not the partners at 1st and Pike, just the partners at
25 Pike Place.

1 Q Okay. And they were able to see it, review it. And then,
2 if they had additional thoughts or ideas that they felt were
3 captured by the slide deck, they could share those with a
4 leader?

5 A That's correct.

6 HEARING OFFICER CHEREM: When we say leader, that's a term
7 that's been thrown about a bit, is that a -- got a specific
8 definition?

9 THE WITNESS: Yes. That would be a salaried management
10 partner.

11 HEARING OFFICER CHEREM: And generally, who does that
12 refer to, like, what's the minimum level of manager that that
13 refers to generally?

14 THE WITNESS: The minimum would be assistant manager, but
15 all the way up to district manager and regional director.

16 HEARING OFFICER CHEREM: Okay. Thank you.

17 Q BY MR. HAMMOND: So for -- for example, a store manager is
18 a salaried partner?

19 A Correct.

20 MR. HAMMOND: I intend to offer Employer Exhibit 1. But
21 I -- I am sensing the fact that we haven't had a chance to --
22 to get that to them this morning, as we're trying to do that
23 production. And so I'll wait, if it's okay to offer it after
24 counsel's had a chance to review it?

25 HEARING OFFICER CHEREM: Thanks.

1 MR. HAMMOND: I appreciate that.

2 MS. DIECKMAN: It's also --

3 HEARING OFFICER CHEREM: Okay.

4 MS. DIECKMAN: It's now in the shared file. I'm just
5 waiting on the -- the remainder of our exhibits.

6 HEARING OFFICER CHEREM: Perfect. Thanks. So do we want
7 to hold off on entering this? Do you want to maybe wait until
8 the end of this witness' testimony? And then, we can circle
9 back?

10 MR. HAMMOND: Yes. I think that's a plan.

11 Q BY MR. HAMMOND: You -- you've talked about these three
12 stores in the Heritage Market. How are these three stores
13 connected, other than what you've described, the past, present,
14 and future? Are there any other things that connect these
15 three stores together in particular?

16 A Well, they're very close. So they're geographically just
17 blocks apart from each other. So they're very close in that
18 nature. And they're used very similarly in terms of how, when
19 leaders from our corporate offices visit stores, they're
20 frequently in what we actually call a Heritage tour or visiting
21 the Heritage Market.

22 Q Just give me one second, if that's okay?

23 A I have one other similarity.

24 Q Sure. Go ahead.

25 A The store's volume fluctuates pretty similarly seasonally.

1 This is a very high tourist destination. And so we see influx
2 of tourists and visitors, obviously, in the more summer season,
3 than we do in the off-peak season. So it's little tr -- mini
4 trade area for our tourists as well.

5 HEARING OFFICER CHEREM: And --

6 Q BY MR. HAMMOND: I -- I assume there's a seasonal impact
7 on stores throughout the Starbucks organization. But these
8 particular stores are impacted more dramatically by the seasons
9 during the tourism?

10 A Yes. That's correct.

11 Q And it's my understanding some of the tourism that comes
12 in there actually comes from cruise ships and the like; is that
13 right?

14 A Yes. That's correct.

15 Q And how --

16 A There are frequently cruise ships out front.

17 Q And when those cruise ships come in, how does that impact
18 these three stores in the Heritage Market?

19 A Yes. So we see quite a number of tourists, who either
20 start before they get on a ship, or they may spend a day after
21 getting off the ship. And Pike Place Market is a -- just a
22 destination for tourism. And so we have later peaks in these
23 stores, 1st and Pike and Pike particular, where the -- the
24 business traffic isn't so much in the early morning, as you
25 would see in some of our core locations, but starts kind of

1 late morning, and then, will go well into the evening. So a
2 little bit of a different day part in the traffic, based upon
3 the customers who are visiting these locations.

4 Q Is the traffic different as well at 1st and University, at
5 least the pattern of when customers come into the stores?

6 A Yes. So 1st and University sees a more traditional a.m.
7 peak and a lunch peak, due to the pedestrian traffic, people
8 commuting in and out of work, the ease of the Grab and Go, and
9 quite frankly, avoiding some of the tourism area of the store
10 up the street, being 1st and Pike. So they have a little bit
11 more of a traditional morning peak, and then, a softer business
12 towards the afternoon.

13 Q With the plan for the Heritage Market that you're
14 implementing, are you able to utilize partners differently now
15 that they're going to be required to work at all three stores,
16 given the differences in when each store might be hit with the
17 peak?

18 A Yes. That's one of the really exciting parts about this
19 model, is that a partner could work during the early morning
20 peak at 1st and University. And then, as the business would
21 taper off, they will be able to go up and work the second half
22 of their shift in one of our busier locations, providing more
23 access to hours for all partners and a better stable workforce
24 within all three. So we can leverage leaders across all three
25 formats.

1 Q After you have these meetings with partners that you've
2 described at getting feedback, do you know when the decision
3 would've been made to implement the Heritage Market?

4 A Yes. I believe the decision was made May 6th.

5 Q And were you part of that decision-making process?

6 A Yes.

7 Q I'm going to show you -- or have Ms. Dieckman show you
8 what's been marked as Employer Exhibit 6.

9 MS. DIECKMAN: You mean it's Employer Exhibit 2?

10 MR. HAMMOND: Yes. Sorry. Employer Exhibit 2, that's
11 dated --

12 HEARING OFFICER CHEREM: From May 6th?

13 MR. HAMMOND: Yes.

14 Q BY MR. HAMMOND: So if you'll take a look at this
15 document. And I realize that you're not copied on it, but are
16 you familiar with it?

17 A I'm aware of the decision that was made.

18 Q Okay. And so this document, does it reflect the timing as
19 to when you understood the decision was made to move forward
20 with the Heritage Market?

21 A Yes, it does.

22 Q When was the decision to implement the Heritage Market
23 first communicated to partners? And when I say partners in
24 this question, that's leaders, or you know, shift supervisors,
25 or baristas?

1 A I believe the week of the 16th we started notifying our
2 salaried store leaders.

3 Q Was that May 16th?

4 A Yes. That's correct.

5 Q Okay.

6 A And then the week of May 23rd, we began starting to share
7 the information with our hourly partners.

8 Q And how was the message conveyed to the hourly partners?

9 A So the message for salaried and hourly was exactly the
10 same. So each leader sat down with their leader, either the
11 store manager and district -- and/or district manager. And
12 they were informed about the changes that were taking place to
13 the market. We were also inviting ideas that they might have,
14 questions that they might have, and then, also let them know
15 that these rules would be also addition -- there would be
16 additional compensation. And so due to the additional
17 compensation that was being provided for these elevated roles,
18 each partner, due to our career progression standards, would
19 need to reapply for the role to make sure that everything was
20 competitive and equitable. And at that time, we were able to,
21 not only share the news of the Heritage Market and entertain
22 questions, ideas, et cetera, but also had the postings open so
23 leaders could apply into those roles as soon as that day. So
24 they had a one-on-one -- a conversation that was individual.

25 Q And these conversations initially were with partners that



1 were working within the three stores in the Heritage Market?

2 A That's correct.

3 Q And so when a partner was -- had a connect with a leader,
4 so let's say a store manager in one of those stores is talking
5 with a partner about the Heritage Market, was there an
6 opportunity at tho -- at those -- in those conversations for
7 partners who wanted to apply for a Heritage position to be able
8 to apply?

9 A Yes, there was.

10 Q And you said that there'd be a difference in pay. Was
11 there a difference in title as well?

12 A Yes. The roles moved from barista to Heritage barista,
13 from shift supervisor to Heritage shift supervisor. We no
14 longer have an assistant store manager position. We have
15 what's called an associate manager position and the store
16 manager position.

17 Q After you had connected with the partners in those three
18 stores, was there any other communication made externally to
19 notify people about the Heritage Market?

20 A Yes, there was. We sent communication from myself to all
21 stores. And district managers also posted that notice from
22 myself in what's called My Daily. And My Daily is a function
23 that all store partners have access to, our internal
24 communications. We also -- the organization posted it to
25 what's called our Hub. It's our internal communication site,

1 as well as our Workplace, which is an internal, kind of, chat
2 group, if you will, sharing the changes to this three store and
3 the new district.

4 Q And you said it was shared with all stores, what does that
5 include? Is that all stores in your area, or is it beyond
6 that?

7 A Yes. So initially, it was all 84 stores. And then, there
8 was a regional announcement as well put out by my regional vice
9 president, Jessica Borton, on the Hub.

10 Q If you'll take a look at Em -- what's been marked Employer
11 Exhibit 4.

12 HEARING OFFICER CHEREM: Did we skip 3 on purpose?

13 MR. HAMMOND: Yes.

14 HEARING OFFICER CHEREM: Okay, just checking. And Ryan,
15 do you plan to seek offer Employer 2 later? I don't have that
16 noted as being offered.

17 MR. HAMMOND: I -- I do. I -- my hope is to make sure
18 that the counsel for the Union has had a chance to fully review
19 it --

20 HEARING OFFICER CHEREM: Okay. That's great.

21 MR. HAMMOND: -- before going on.

22 HEARING OFFICER CHEREM: Thank you.

23 Q BY MR. HAMMOND: This is Employer Exhibit 4, Ms. Tovey.
24 Can you tell us what this is?

25 A Yes. This is the note that went out to our area store

1 managers and on our Workplace, on our My Daily, and on our Hub
2 site.

3 Q And if you look at the second to last paragraph, it makes
4 reference to the Heritage experienced manager and your district
5 manager role for this market will be posted on 5/23/2022. Do
6 you know when this particular message was distributed to the
7 stores you described a minute ago?

8 A I don't recall the exact date.

9 Q Okay. It -- would've it have been then towards -- can you
10 give us approximation, I guess, as to when it probably would've
11 been sent out?

12 A Yes. We wanted to make sure that we had the majority of
13 all of the individual conversations had first, before we posted
14 anything to our Hub sites, out of respect for the partners who
15 are currently employed in those three locations. So likely, it
16 was posted before the end of the week, once notifications were
17 made to the existing partner base in these three locations.

18 Q And end of the week would've been that week of May 23rd?

19 A Yes. That's correct.

20 Q Was there any information at that time given to
21 partners -- and when I'm saying that time, I'm referring to
22 these individual connects that you had with partners within the
23 three Heritage Market stores, about what would happen in the
24 event that they either chose not to apply for a Heritage
25 position, or they were not selected for a Heritage position?

1 A Yes, we did. We asked each partner -- well, we first
2 informed each partner that it was absolutely their choice to
3 apply or not, but that we were encouraging each and every
4 partner to apply. If they were not interested, or this was not
5 something that they felt compelled to want to do, we made sure
6 that they understood that every partner would have a role in a
7 store. And so they were asked to, if they did not apply or
8 they did not receive a position, to themselves identify three
9 store selections that would work best for them to be
10 transferred into. So partners were given the option to select
11 the store of their choice to then transfer to.

12 Q Was there any handouts or materials made available to
13 partners about this Heritage Market to supplement or assist
14 beyond these individual connects?

15 A Yes. Partners were offered the opportunity to see all of
16 the roles. So there were copies, both electronically and paper
17 available for each of the partners to see what the differences
18 in the roles were.

19 Q I'm going to show you Employer Exhibit 3.

20 MS. DIECKMAN: One moment. I apologize.

21 Q BY MR. HAMMOND: And Ms. Tovey, are you familiar with this
22 document that's been marked Employer Exhibit 3?

23 A Yes, I am.

24 Q Can you tell us what this is?

25 A Yes. This was a list of questions that we had either

1 received or anticipated receiving from our partners at all
2 levels. And so our PRO, HR department, pulled together some
3 quick questions that leaders could have access to as they were
4 considering their options and application.

5 Q And so this was a resource made available to which
6 partners?

7 A Initially, the partners in all three stores, and then,
8 broader once the communication went broader.

9 MR. HAMMOND: All right, I'm kind of in the middle here, but
10 I've been prompted to -- someone let me know, we've been going
11 for some time. Is it okay if we take a brief break here to use
12 the restroom in a like --

13 HEARING OFFICER CHEREM: Sure. Five-minute break?

14 MR. HAMMOND: That'd be great.

15 HEARING OFFICER CHEREM: All right. We'll go off the
16 record for five minutes. I'm going to leave the video ready.
17 Or the meeting ready.

18 (Off the record at 11:21 a.m.)

19 HEARING OFFICER CHEREM: Thank you. We're back on the
20 record after a quick break. One recap of a discussion that
21 occurred off the record is that the witness had mentioned, the
22 associate manager position that was going -- either has come
23 into existence or is coming into existence as part of the
24 Heritage Market. And we discussed with the parties that that
25 is a different job title than the assistant store manager

1 position that the parties agreed to exclude in Board Exhibit 2.

2 So because this Petitioner's newly made aware of this
3 position, we are going to sort of table discussing it again
4 until the end of the hearing. And we will hopefully either
5 include some sort of stipulation into their -- as to their
6 inclusion or exclusion, or potentially agree to both that
7 individual subject to challenge. But again, we will come back
8 to that later in the hearing.

9 All right. Mr. Hammond, your witness.

10 MR. HAMMOND: Thank you.

11 **RESUMED DIRECT EXAMINATION**

12 Q BY MR. HAMMOND: We'll go ahead and show you what's been
13 marked as Employer Exhibit 5, Ms. Tovey.

14 Are you familiar with this document?

15 A Yes.

16 Q And can you tell us what this is?

17 A Yes. This was a document that was pulled together by our
18 regional vice president, Jessica Borton, to communicate in the
19 most simplest way possible, the Heritage Market.

20 Q So this was another resource for leaders to understand
21 this implementation of the Heritage Market?

22 A Yes, that's correct.

23 Q And so was this provided to leaders within the Heritage
24 Market stores as they existed before the Heritage Market was
25 implemented?

1 A I know it was made available. I don't know how many
2 partners received this document, however.

3 Q Okay. And your connections with partners, whether they
4 were the leaders that you were connecting with when you were
5 notifying them of the Heritage Market, this was something that
6 they could have accessed if they wanted to?

7 A Correct.

8 Q Okay. We'll show you now Employer' Exhibit 6. And Mr.
9 Tovey, are you familiar with this document?

10 A Yes.

11 Q And what is this?

12 A This was information that was pulled together so that the
13 salaried leaders would have information around specific pay and
14 pay changes for leaders opting into the Heritage Market.

15 Q And were those leaders also able to use this to facilitate
16 their conversations with baristas and shift supervisors working
17 in these three stores?

18 A Yes. It was available to access, but I don't know how
19 many partners requested this.

20 Q Presumably though, if a partner when they're informed of
21 the Heritage Market, has a question about pay and when it would
22 be implemented, that sort of thing, this would be a resource
23 for the leader to check to provide support to that partner?

24 A Yes, that's correct.

25 Q All right. We'll take a look now at Employer Exhibit 7.

1 And Ms. Tovey, are you familiar with the Employer Exhibit 7?

2 A Yes.

3 Q And can you tell us what it is?

4 Q Yes. This was an overview of the Heritage Market, and our
5 objectives with this three-store market.

6 Q And again, is this a resource that was made available to
7 leaders so that they could understand, and I guess in one place
8 quickly digest some of the key components of the Heritage
9 Market?

10 A Yes. And the audience for this was Regional Director DM
11 and above. So this was not used in the salaried or hourly
12 conversations.

13 Q So this was to facilitate conversations with people at
14 your level and above to make sure everyone understood what was
15 happening?

16 A That's correct. And also for me to share with the local
17 district manager team as part of inform.

18 Q Thank you. All right. Well, look now at Employer Exhibit
19 8. Are you familiar with this document, Ms. Tovey?

20 A Yes.

21 Q And what is this?

22 A This was the document that we shared out in the three
23 stores and the area. So all 84 stores and stores within the
24 region. So Jessica's RVP direct store teams that she supports
25 introducing the Heritage Market opportunities for hourly



1 partners. As well as a quick link through the QR code for
2 leaders to apply. This was posted on our hub, our My Daily,
3 and also printed copies were available in some -- in several
4 stores.

5 Q And you said this was made available in stores that your
6 regional vice president, Jessica Borton, had response -- has
7 responsibility for?

8 A That's correct.

9 Q And what is the geographic scope of those stores?

10 A Yes. So Jessica supports stores in Alaska, Oregon,
11 Washington, a small portion of Idaho, and a small portion of
12 Nevada.

13 Q So the partners in those stores would have received us
14 through the methods you just described a minute ago?

15 A Yes. That's correct.

16 Q And it looks like on here, in addition to notifying them
17 of these -- the change in the Heritage Market, it also
18 indicates in here in the -- I guess the middle paragraph if you
19 were to look at it. It says partners in these roles will need
20 to start on July 4th.

21 HEARING OFFICER CHEREM: It looks like there's a typo.

22 Q BY MR. HAMMOND: It looks like a typo. And then it says
23 7/4/'22. Do you see that?

24 A Yeah. That's why I was chuckling is because we had to go
25 back and amend it.

1 Q Okay. So when it first went out and it had 15. And then
2 you amended it. Is that right?

3 A That's correct.

4 Q Okay. But it -- was that the plan then was to have
5 partners -- all the partners in place by July 4th of 2022?

6 A Yes. Some earlier. And then hopefully, we had hoped to
7 have them all in place by July 4th to begin training.

8 Q And then there's these QR codes at the bottom. How do
9 those work; do you know?

10 A Yes. So when leaders were having individual
11 conversations, or if a leader were to see this in a store that
12 wasn't having individual conversations, they could easily and
13 quickly just scan the QR code and right then and there apply
14 for the role.

15 Q And when approx. -- is this what would have been sent out,
16 I guess, at the end of the week of May 23rd?

17 A Yes. That's correct. And I do want to clear that in our
18 local Western Washington teams, some posted on My Daily and
19 some did not. But in area 10, specifically my 84 stores, it
20 was posted on My Daily and provided printed copies in back of
21 house.

22 Q And so can you just -- I know it's a term that you use
23 every day. Describe for us what back of house means?

24 A Yes. No problem. So back of house is the employee or
25 partner only related space. And so that's not a space that



1 could be accessed by customers. It's where partners would
2 regularly receive communication, such as schedules, any printed
3 materials that we needed to share with partners, and basic
4 communication.

5 HEARING OFFICER CHEREM: Can you also briefly explain
6 before My Daily, can you tell us how partners access My Daily?

7 THE WITNESS: Yes. So My Daily is all on an iPad device.
8 And so when partners are logging in for their shift, there's
9 also access to any new updates or informs, information relative
10 to a store, or a district, or area, or the organization that's
11 available in communication. It's all on the iPad. So a
12 partner can come in and access those communications at the
13 ready.

14 HEARING OFFICER CHEREM: Do they have any out of store
15 access to it or just on -- through the store iPad?

16 THE WITNESS: I believe it's just in the internal.

17 HEARING OFFICER CHEREM: Okay. Thank you.

18 Q BY MR. HAMMOND: What was the -- I guess, your general
19 observations of the reactions of partners as this information
20 was being shared?

21 A Yeah. Partners were really excited. One, they felt
22 listened to. So several of the things that they had wanted in
23 terms of additional coffee education, more time to support some
24 of the incoming and onboarding leaders through immersion, more
25 meetings and frequent touch points with their leadership team,

1 and time to engage with coffee crafting community. There was a
2 lot of excitement. Some partners joked, why haven't we done
3 this sooner? So there was some excitement about that, as well.
4 And then there were some partners that this did not interest
5 them. Primarily having to go to all three locations. Some
6 leaders did not want to have to move around and work maybe one
7 or two shifts in one day in different locations.

8 But for the most part, there was a lot of energy. There was a
9 lot of excitement, and just momentum around what we could build
10 this into.

11 Q I want to go back and touch on something. You had
12 testified earlier that the partners at the 1st and Pike Store,
13 which is currently closed, that they are -- if they weren't
14 selected for Heritage Market, they moved to other stores
15 already. And there was a loss in hours as I understand it.
16 What are the partners that were selected for the Heritage
17 Market, what are they doing during this time period?

18 A Yes. They are working at the first store, store 301, and
19 getting a jump start on the training that will begin this week
20 officially. So they've had the opportunity to go down and
21 start to meet some of their new colleagues, learn a little bit
22 about the store and some of the nuance with the first store.

23 Q So they've been able to maintain their hours, the regular
24 hours, as well?

25 A Yes. That's correct.

1 Q You've described a little bit of the structure, but I just
2 want to make sure I understand it. And we'll -- we'll do it in
3 the two phases again. Prior to implementation of the Heritage
4 Market, what was the leadership structure at these three
5 stores?

6 A So each store had a store manager in each location, and
7 that store manager was supported by a district manager. And in
8 this case, there were two district managers supporting these
9 three stores. So one supported Pike Place, and the other
10 district manager had 1st and Pike and 1st and University. And
11 then those store managers subsequently supported the hourly
12 partners on each of their teams, respectively.

13 HEARING OFFICER CHEREM: Which districts were the three
14 stores a part of before?

15 THE WITNESS: Yes. 1st and University and 1st and Pike were
16 part of District 142. Rolling into a district manager named
17 Amy Quesenberry. And store 301 was a part of District 119, ne,
18 rolling into a district manager named Andrea Coster.

19 HEARING OFFICER CHEREM: Thank you.

20 Q BY MR. HAMMOND: And so each of the three stores had a
21 district manager assigned because these stores were in their
22 district, and then each had a store manager?

23 A Yes. That's correct.

24 Q And then what was the structure below that?

25 A We have two assistant store managers in the market, as

1 well.

2 Q So we had one assistant manager at 1st and Pike, and one
3 assistant manager at Pike Place. And then -- sorry, my
4 apologies. We also had a second store manager at 1st and Pike,
5 and a second store manager at 301. So there were two managers
6 assigned to 301, and two managers assigned to 1st and Pike.

7 A And then --

8 HEARING OFFICER CHEREM: Sorry. Was that --

9 MR. HAMMOND: Go ahead.

10 HEARING OFFICER CHEREM: Sorry, was that two store
11 managers and an assistant store manager at those locations?

12 THE WITNESS: Yes, ma'am.

13 HEARING OFFICER CHEREM: Okay.

14 THE WITNESS: My apologies.

15 Q BY MR. HAMMOND: And then 1st and University just had one
16 store manager and no assistant manager?

17 A Yes. That's correct.

18 Q Now, let's move forward to the Heritage Market. And I
19 guess my first question for you, are the leaders that are going
20 to be responsible or are responsible for Heritage Markets, have
21 they already been hired?

22 A Yes.

23 Q Okay. And what is the intended structure of the
24 leadership in the Heritage Market based on those decisions
25 you've already made?

1 A Yes. The market is represented by one district manager.
2 Cora Carter, and Cora will oversee the three locations. It's
3 set up that she's overseeing the three locations. 1st and Pike
4 is supported by two store managers. 1st and university is
5 supported by one store manager. And Pike Place is supported by
6 one store manager and an associate manager. We're -- we're
7 also hiring an OCM for the market that has yet to be
8 determined.

9 HEARING OFFICER CHEREM: Remind us of OCM again? I know
10 you already explain that one.

11 THE WITNESS: Operation's consultation manager.

12 HEARING OFFICER CHEREM: Thank you.

13 THE WITNESS: No problem.

14 Q BY MR. HAMMOND: The district manager, Cora Carter, for
15 the Heritage District, will she have responsibility for other
16 stores outside of the Heritage Market?

17 A No.

18 Q Okay. And can you tell us what the associate manager, how
19 that differs from an assistant store manager?

20 A Yes. So an assistant store manager in a current four
21 store environment is a training role to move into a store
22 manager position. The goal of the associate manager is to have
23 a little bit more time and tenure in the associate manager role
24 to provide a more structured support. It's less of a learning
25 position. So a leader would have had experience in an

1 assistant manager role to be considered likely for an associate
2 manager role. And those duties can include schedule writing,
3 onboarding, support and hiring, day-to-day operations. And in
4 this particular case with Heritage, they will be working in all
5 three of these stores, as well. So providing support,
6 structure, teaching, training, recognition to the shift
7 supervisor team on a regular basis. As well as partnering with
8 the store manager and district manager on objectives and
9 performance of the three stores.

10 Q And you describe for us what the structure was prior to
11 implementation of the Heritage Markets. And I want to ask you
12 a little bit more about that, and then we'll talk about it as
13 well in the Heritage Market. But prior to implementation of
14 the Heritage Market, if I was a store manager at one of those
15 three stores, was I just responsible for my store, or did I
16 have responsibility for other stores?

17 A Yes. You would be responsible for your store.

18 Q And is the same true of assistant store managers; they
19 would just be working out of their home store?

20 A Correct.

21 Q Okay. Is that going to change at all in the Heritage
22 Market?

23 A Yes, absolutely. So these leaders will work in one team
24 to support all three stores. They will have a primary assigned
25 store location, but they will be supporting all three stores.

1 So an associate manager or store manager will likely frequent
2 all three locations through the course of a day and have the
3 opportunity to check in and support each team as market
4 conditions and events throughout the day are taking place.

5 So each of these leaders will be responsible for one
6 market unit, the whole market unit, but they will be assigned
7 to one store as their primary home store.

8 Q And if I am a store manager in the Heritage Market and I
9 am going through these different stores, as I work in these
10 different stores, do I have the same level of responsibility
11 with respect to the partners I may interact with in each of
12 these stores?

13 A Yes. The expectation would be the same. To coach,
14 support, recognize. Yes, all of that would be the same. And
15 then if there were disciplinary conversations that were to be
16 had, it would be the responsibility of the owning store manager
17 of the location where the partner would be assigned, just to
18 make sure that we've got full support there.

19 Q And is that also true of the associate manager?

20 A Yes. That's correct.

21 Q And so let's just kind of go through an example. If I am
22 a Heritage Store manager, and I am in a store other than my
23 home store, and I observe behavior that either needs to be
24 coached or to be celebrated because it's being done well, what
25 would I be expected to do in that situation?

1 A Yes. You'd be expected to have the conversation in the
2 moment with the partner to coach, teach support, or reinforce
3 what you're seeing that's great. Or what you're seeing that
4 might need some opportunity for improvement.

5 Q If at some point something needs to be done in writing,
6 either some written recognition of doing it well or some form
7 of written corrective action, whose responsibility would it be
8 to actually do the written document?

9 A Yes. Ultimate written documentation of performance that
10 would need to be corrected would be done by the store manager.

11 Q Well, do the partners within the Heritage Market that have
12 been selected, will -- do those partners have assigned to them
13 a home store within the Heritage Market?

14 A Yes.

15 Q And so those partners is -- their home store, if there's
16 written documentation required, either celebrating positive
17 work or corrective action, that'd be done by presumably the
18 leaders assigned to that home store?

19 A Yes. That's correct. In the case of recognition though,
20 we would hope that all partners feel inspired to recognize each
21 other.

22 HEARING OFFICER CHEREM: And just to clarify, you had
23 mentioned that the supervisors and managers for this Heritage
24 Market had already been selected. Have they already started in
25 their no -- new roles?

1 THE WITNESS: Yes.

2 HEARING OFFICER CHEREM: When did that occur?

3 THE WITNESS: They started -- I'd have to look at a
4 calendar, but I believe -- I'd have to refer to the offer
5 letters. My apologies.

6 HEARING OFFICER CHEREM: Okay. Within the last week,
7 within the last month, just as an --

8 THE WITNESS: Yes.

9 HEARING OFFICER CHEREM: -- approximation?

10 THE WITNESS: Within the last month.

11 HEARING OFFICER CHEREM: Okay.

12 THE WITNESS: Salary leaders were offered first and then
13 hourly.

14 HEARING OFFICER CHEREM: But then they started their
15 time -- or -- but they've already taken over the new roles?

16 THE WITNESS: Yes, correct.

17 HEARING OFFICER CHEREM: Okay. And did we get the names
18 of those individuals or not yet?

19 MR. HAMMOND: We have --

20 THE WITNESS: I haven't --

21 MR. HAMMOND: Oh, go ahead.

22 THE WITNESS: I -- I haven't provided them down to that
23 level, but I'm happy to, if that's what --

24 HEARING OFFICER CHEREM: Yeah. If you could walk through
25 the people who are taking over as the store manager and

1 assistant -- associate manager? Excuse me.

2 THE WITNESS: Yes, ma'am.

3 HEARING OFFICER CHEREM: Sorry.

4 THE WITNESS: It's okay.

5 HEARING OFFICER CHEREM: That would be great.

6 THE WITNESS: Associate manager. We'll start with Store
7 301, Pike Place. So the store manager of Pike Place, his first
8 name is Josh, last name, Dodge, D-O-D-G-E. And the associate
9 manager goes by CJ, formal name is Carissa Aposcolou. Don't
10 ask me to spell it. I'd have to pull up a document. And then
11 at 1st and Pike, we have Eddie, Edward Heitger as the store
12 manager. Manu Walsh-Coleman as the second store manager. And
13 then at our 1st and University location, we have Macoy
14 MacLaughlin.

15 HEARING OFFICER CHEREM: As the store manager?

16 THE WITNESS: Yes, correct.

17 HEARING OFFICER CHEREM: Correct. Okay. Thank you.

18 Q BY MR. HAMMOND: And the title for those individuals, as I
19 understand it, when you say store manager, it's actually the
20 Heritage store manager position?

21 A Yes, that's correct.

22 Q And it will be the Heritage associate manager position?

23 A Yes, that's correct.

24 Q I said, will be. It is, in fact, those are the --

25 A It is.

1 Q Yes. Okay. I think you described this earlier, but I
2 also want to make sure it's clear. What was -- what is the
3 role of the -- the Heritage OCM when they're working within the
4 Heritage Market?

5 A Yes. The OCM will be responsible for helping to support
6 the testing that these stores will do, any implementation of
7 new equipment, new devices, new technology, new process. They
8 will be a direct conduit for our innovations team here at our
9 SFB (phonetic throughout), which is our corporate offices, to
10 help support any implementation that needs to be done in this
11 three-store district.

12 They will also have the opportunity to intersect with
13 customers and our partners and gather information on any of the
14 new things that we test, whether it be food, beverage,
15 equipment, how do they like the new scoop, whatever it might be
16 that they're testing, they will help to support gathering that
17 information so that we can make rapid improvements in
18 innovation as part of this Heritage Market.

19 Q Then we're going to -- the next set of questions, again,
20 we're going to talk about pre-Heritage Market, and then
21 Heritage Market. So pre-Heritage Market, how does partner
22 relations -- how did it provide support to these three stores?
23 And then what, if any, changes will there be under the Heritage
24 Market that --

25 A Yeah.

1 Q -- you know?

2 A So prior to Heritage Market, we have a partner named Rob
3 Lawrence who supports the area and each district, and that will
4 not change when Heritage Market is stood up. So the partner
5 relations' HR, if you will, will remain intact as it was pre-
6 Heritage in this new Heritage environment.

7 Q I want to talk about the job description specifically. To
8 your knowledge, how -- yeah, does the barista job that existed
9 prior to the Heritage Market, how is that going to be different
10 from the Heritage Market baristas that have now been hired?

11 A So the Heritage Market baristas that have now been hired,
12 the job that is different from a non-Heritage store really
13 comes down to some fundamental coffee knowledge that is in a
14 core store. We have great fundamental basics in a core store,
15 but they will have an elevated training and more knowledge that
16 they will be required to be trained on and be able to speak
17 about and share with customers such as Coffee Master, Coffee
18 Leader Programs 100, 200, and 300, and extensive knowledge
19 reserve coffee offerings and just general enhanced coffee is
20 one place.

21 The second place is they will have a in-depth training and
22 opportunity to learn about Starbucks history, where we've come
23 from, where we are, and where we're going as well as our
24 relationship with Pike Place Market. Many of our customers who
25 come to these three stores have lots of questions about

1 Starbucks, lots of questions about our relationship to the
2 market. And these partners will be trained and expected to be
3 able to share those responsibilities in the Heritage Market.

4 The third difference is we have a lot of visitors
5 internally, whether that be business partners of Starbucks,
6 newly hired leaders within the organization, and these leaders
7 at the barista level will have the opportunity to frequently
8 host tours within all three stores and educational sessions on
9 coffee, culture, and connection that help us to support our
10 heritage and our culture at Starbucks. So they will have
11 training that's very different from a core store in that way.

12 And then the other piece is just how the Pike Place Market
13 works. So specific to the 1st store, there are different rules
14 and regulations in how we support each other in that market as
15 a vendor and a -- a neighbor. So they'll get some information
16 around Pike Place Market and the history of that and how those
17 two pieces intersect.

18 Q You described previously there's some difference in
19 equipment in some of these stores compared to other core
20 stores. Will that be part of the training as well?

21 A Yes. Absolutely. So the partners will be expected to use
22 all of the equipment in all three stores. So currently Pike
23 Place Market as an example, it doesn't have mobile order. And
24 so when they move to 1st and University to work a shift,
25 they're going to need to learn about mobile order. And at 1st

1 and University and 1st and Pike, they have a manual machine.
2 But when they work on the machine at 301, it's a manual machine
3 at Pike Place. So they will be required to also be up to speed
4 on all of the equipment, all of any tests that may take place
5 in these three stores.

6 HEARING OFFICER CHEREM: Mr. Hammond, I have a quick
7 question. You had her to discuss job descriptions. Are you
8 planning on entering job descriptions into the record?

9 MR. HAMMOND: Yes.

10 HEARING OFFICER CHEREM: Okay. Thanks.

11 And then for you, Ms. Tovey, the Coffee Master. Can you
12 just explain what that is? You've mentioned it, I think twice.

13 THE WITNESS: Yes. So Coffee Master is a program that you
14 can be selected for outside of the Heritage Market for an
15 opportunity to have more coffee knowledge and in-depth about
16 our growing regions, processing of coffee wash methods, dry
17 methods, et cetera, types and nuances, and our relationship
18 with cafe practices and farmers. It is not required in a core
19 store, but in Heritage Market, it will be a part of the
20 onboarding and training program for partners from barista all
21 the way to district manager.

22 HEARING OFFICER CHEREM: And what's like the nature of
23 that Coffee Master training in terms of like duration?

24 THE WITNESS: Yes. So each module there are a reading
25 component, video component, and then a on -- hands-on

1 experience with partners and with customers. So the hours vary
2 based on each partner, but there are several hours of
3 additional training that's being invested to both learn, study,
4 and retain. And then to demonstrate for partners and
5 experience with customers.

6 HEARING OFFICER CHEREM: So you --

7 THE WITNESS: These are advanced modules.

8 HEARING OFFICER CHEREM: So you said it varies, but it's
9 several hours?

10 THE WITNESS: Yes.

11 HEARING OFFICER CHEREM: Not like several weeks?

12 THE WITNESS: No.

13 HEARING OFFICER CHEREM: Okay.

14 Q BY MR. HAMMOND: Is that -- is that training unique to the
15 Heritage Market?

16 A The part that's unique is that it is a requirement of
17 these partners to go through that training.

18 THE WITNESS: And Rachel, if I can go back on the question
19 you asked, if you don't mind?

20 HEARING OFFICER CHEREM: Sure.

21 THE WITNESS: The training could be finished -- like you
22 could finish your modules in a set amount of hours, but that
23 wouldn't include the application and the practical time with
24 customers. So if you put you could -- you couldn't finish
25 Coffee Master start to finish in just a number of hours and

1 say --

2 HEARING OFFICER CHEREM: Okay.

3 THE WITNESS: -- I'm now a Coffee Master. So there's --
4 there's reading, there's practice, there's study and
5 application.

6 HEARING OFFICER CHEREM: Okay.

7 THE WITNESS: So it does take some time. It could take
8 several months to be fully --

9 HEARING OFFICER CHEREM: Sure.

10 THE WITNESS: -- certified --

11 HEARING OFFICER CHEREM: Um-hum.

12 THE WITNESS: -- but you'll go through the training and
13 then have the opportunity to do the practical application.

14 HEARING OFFICER CHEREM: Okay. Thank you for the
15 clarification.

16 Q BY MR. HAMMOND: So the studying class time might be
17 within the realm of hours, but the actual from start to finish
18 is a matter of weeks or months to complete the process?

19 A It could take a couple of weeks, yes, at minimum.

20 Q And the exact amount of the time is really dictated by the
21 individual partner and how they decide to progress through
22 those steps?

23 A Correct, in partnership with their leadership team.

24 HEARING OFFICER CHEREM: Mr. Hammond, are you planning on
25 submitting documentation about what the Coffee Master program

1 is, what it entails?

2 MR. HAMMOND: We can do that, yes. It's not on my list,
3 but I will add it to our list.

4 HEARING OFFICER CHEREM: Thank you. Since it sounds like
5 it's a requirement for the new store, it might be useful to
6 have. Not obviously, like, the whole program necessarily, but
7 the --

8 MR. HAMMOND: Right.

9 HEARING OFFICER CHEREM: -- if there's any sort of
10 checklist or identifier for what is encompassed by that.

11 MR. HAMMOND: Sure. And just for clarification, we have
12 another witness that's going to have a little bit -- provide
13 testimony as well about the job descriptions themselves. So I
14 don't plan to --

15 HEARING OFFICER CHEREM: Great.

16 MR. HAMMOND: -- spend time with Ms. Tovey on that. She's
17 familiar with them, but we'll say the actual presentation of
18 those documents. I just wanted to ask her about her general
19 knowledge about the differences.

20 HEARING OFFICER CHEREM: Sure.

21 Q BY MR. HAMMOND: One other job consecration I wanted to
22 ask you about, Ms. Tovey, what differences are there between a
23 shift supervisor working in one of these three stores prior to
24 implementation of Heritage Market and what the expectations are
25 for these shift supervisors in the Heritage Market now?

1 A Yes. Current state, the shift supervisor in a core store
2 environment is responsible for day-to-day checking in the
3 partners as they come to work, assigning deployment roles and
4 routines, and partnering with the store manager on training if
5 they are in, in fact, training in that day as well as just
6 making sure breaks are run and the deposit, things of that
7 nature are completed.

8 In a Heritage shift supervisor, these leaders will have
9 more frequent touch points with the Heritage store manager and
10 district manager. They will align and work together on how
11 they want to bring in some of the new and unique coffees and
12 introduce them to the partners, introduce them to customers,
13 support training around the new coffees.

14 They'll also have an opportunity to work very closely with
15 the baristas in these Heritage Markets to be able to support
16 their learning and ongoing development in small pods or groups.
17 That's yet to be determined. The team will be working together
18 on what that looks like. And when I say team, I mean the
19 entire team of the Heritage Market will get to weigh in on what
20 support looks like and feels like.

21 They will also work in different locations throughout
22 their week, so they may have a couple of days in a 1st and
23 University as an example, and then might work in 1st and Pike
24 on the weekend when the business dictates that we might need
25 more staffing levels at that location. But they will have the

1 opportunity to build a team, consider how they want to advance
2 coffee in these locations, weigh in on how the leaders work
3 together with the local community, and more direct connections
4 with the store managers and district managers.

5 Q The Heritage shift supervisors, are they -- is there any
6 expectation for them to be able to do all the things that a
7 Heritage barista is being asked to do?

8 A Oh, yes, absolutely. My apologies. They will have the
9 same training and support as the Heritage baristas.

10 Q And am I understanding right that you expect that the
11 Heritage supervisors will be doing more or be in -- more
12 involved in training than shift supervisors in core stores?

13 A Yes, that's correct. Current state in our core stores,
14 most training is done by barista trainers. And in this
15 Heritage Market, while we will have barista trainers, shift
16 supervisors will be the ones that will primarily be doing the
17 majority of the training.

18 Q Are shift supervisors in core stores responsible for any
19 of the inventory management?

20 A Yes, they are. What is different about Heritage, however,
21 is that the volume of merchandise and the volume that they need
22 to manage in terms of in and out of product is far greater. So
23 in a core store environment, they are responsible for mostly
24 food items and even that is mostly done through automated
25 ordering. But in the Heritage Market, the leaders of the 1st

1 store, 301, and 1st and Pike have to do manual entry and manual
2 accountability of each item of retail. There's no automated
3 ordering set up for retail, and the large amounts of retail
4 that go through these locations make it a bit of a specialized
5 operation for those shift supervisors.

6 So a core shift supervisor who wanted to walk down the
7 street and try to place an order in one of these two stores
8 would be very difficult without extensive training on
9 replenishment, storage, piece count, eaches, inner packs, and
10 the like.

11 HEARING OFFICER CHEREM: What are eaches?

12 THE WITNESS: There are different units of measure for the
13 different items that come in. So some items come in inner
14 packs, which is one box which contains inside contents to a
15 certain number. And some is one box with an inner box of
16 boxes. And so you have to really understand the number of
17 units of measure that come in for each individual SKU in these
18 two locations and in the --

19 HEARING OFFICER CHEREM: Okay.

20 THE WITNESS: -- normal Starbucks location non-Heritage,
21 it's all automated for you, so what you sell gets replenished.
22 But in these two of the three stores, that is not possible for
23 retail items or things of the like. So leaders have to go in
24 and do manual ordering and ensure that they're not over
25 ordering or under ordering missing customer needs or over

1 ordering and we can't open a store because they have too much
2 product.

3 Q BY MR. HAMMOND: Does that happen sometimes where they've
4 over ordered or there's nowhere to put the products you can't
5 open?

6 A Unfortunately, that has happened, yes. And we -- we end
7 up opening, but it's a lot of shuffling.

8 Q You had talked previously about the difference in
9 equipment and/or the lack of equipment, perhaps, even for like
10 the the mobile order where it's a different system, I guess,
11 the same amount of equipment. Will there be training provided
12 to these Heritage baristas and Heritage shifts supervisors to
13 know how to operate these different pieces of equipment or how
14 to complete mobile orders, for example, if they haven't had
15 that experience previously?

16 A Yes. That training and support and hands-on opportunity
17 will be provided to all leaders who've been hired into this
18 market. Even if you have had prior experience, you will go
19 through the Heritage training.

20 Q And it will be unique to the Heritage Market as opposed to
21 training that might be provided at core stores?

22 A There will be some components that are pulled in from
23 core, but some components will be unique to the equipment and
24 technology equipment that is located in these stores.

25 Q This may have been discussed previously. I think it was

1 in the context of the communication to partners about the
2 Heritage Market. But is there a different pay scale for
3 Heritage baristas compared to baristas in core stores?

4 A Yes, there is. So any leader who has received a role in
5 the Heritage Market at the barista or shift-supervisor level
6 automatically received a five percent increase to their hourly
7 rate.

8 Q And what was the basis for that added pay increase?

9 A The added responsibility and additional training and what
10 we are asking our leaders in this market to support for our
11 customer's experience and for the partner's experience.

12 MR. HAMMOND: I'm getting ready to go on to another
13 subject. I just thought I would check in, Madam Hearing
14 Officer, if we want to take a lunch break at this point.

15 HEARING OFFICER CHEREM: Good question. First off, about
16 how much longer -- hey, let's go off the record for a second.
17 Then we can decide.

18 (Off the record at 12:09 p.m.)

19 HEARING OFFICER CHEREM: After a lunch break, we are back
20 on the record. We still have the same witness testifying. And
21 just a reminder that you are still under oath.

22 Employer, your witness.

23 **RESUMED DIRECT EXAMINATION**

24 Q BY MR. HAMMOND: Yes. Ms. Tovey, I meant to ask you about
25 this earlier today and I forgot. I wanted to ask you, is the

1 point of sale or POS different for any of these stores in the
2 Heritage Market?

3 A Yes. The 1st store, Store 301, does have a unique device
4 that is in test. It is a handheld POS unit so that the
5 partners can take and expedite orders before customers are
6 actually inside the store.

7 Q So as customers are standing in line, I presume they can
8 help process their order?

9 A Yes. They can process their order, but then payment is
10 taken inside on the POS device inside the store.

11 Q Does that -- use of that device require any additional
12 training?

13 A Yes, it does.

14 Q And is that device used in core stores?

15 A We had it in one, apologies, two other cafe stores in my
16 portfolio and one drive-through location.

17 Q Most partners then, if their background is a core
18 experience, they're going to have to receive training on how to
19 use that?

20 A That's correct.

21 Q Assuming they work in the Heritage Market?

22 A Yes.

23 Q Can you talk to us a little bit about scheduling, how
24 that's going to work, the scheduling with respect to partners
25 working within Heritage Market?

1 A Sure. So the store manager team will get together with
2 the district manager once a week to review impacts to the trade
3 area, whether that be in-store immersions, training that's
4 happening, expected influx of tourism or traffic in the market
5 due to local events that might be taking place. And together,
6 the team will decide where the labor hours on what days are
7 most needed, and where partners would be scheduled in that
8 three-store market, so they will work together on the
9 scheduling.

10 And then each store manager will be then asked to support
11 writing that schedule for the partners that will be in their
12 stores and loaning the leaders into the other locations. And
13 then ultimately, it will be the district manager's
14 responsibility to ensure that all the right labor hours and
15 partners are matched to the business in the trade area by
16 location.

17 Q Will Heritage baristas and Heritage shifts supervisors be
18 scheduled in primarily one store or -- what's -- if they're
19 assigned to the Heritage Market, I guess, where is it that
20 they'll be expected to work as Heritage baristas and Heritage
21 shift supervisors?

22 A Yes, they'll be expected to work in all three locations.
23 They will have a primary home store that they will be assigned
24 to, but they will be working in all three locations.

25 Q It is expected that will happen on some level of

1 frequency?

2 A Oh, yes. It would be not atypical, we believe at this
3 point, for a Heritage barista to work a day or two in the other
4 locations in their weekly schedule, or perhaps start in one
5 store and finish their shift in the afternoon in another store
6 where there might be a busier traffic based on trade-area
7 needs.

8 Q In other hearings involving Starbucks and Workers United,
9 there's been a lot of discussion about borrowed partners. Are
10 you familiar with that concept?

11 A Yes, I am.

12 Q Can you tell us what a borrowed partner is?

13 A Sure. So a borrowed partner is a partner who may have one
14 primary home as their assigned store location, and they are
15 able to then borrow into another location should that location
16 have an open shift or a partner who's unable to work their
17 shift. They are then able to pick up a shift using the shift
18 Marketplace shift swap app once they've informed their store
19 manager they're able to opt into and pick up a shift in a
20 neighboring store.

21 Q Will partners working out of core stores be allowed to
22 borrow into the Heritage Market?

23 A No, unfortunately not. They will not be able to do so.

24 Q And why is that?

25 A The training involved with the equipment, the technology,



1 the coffee knowledge, customer service expectations, we
2 wouldn't be setting up partners for success to loan them into
3 those stores without adequate training.

4 Q And if I am a Heritage Market barista or Heritage shift
5 supervisor, will I be able to borrow into core stores that may
6 be in the area?

7 A No, you will not.

8 Q We've talked about these three stores in the Heritage
9 Market, and I understand they're in fairly close proximity to
10 one another. Are they within walking distance?

11 A Oh, yes, just a few blocks from each other.

12 Q So if I am a Heritage barista assigned to one of these
13 stores to go work at a different store during my shift, I
14 wouldn't need to park or take mass transit. I could just walk
15 to those locations?

16 A Yes. No need; can walk from store to store pretty
17 quickly.

18 Q To your knowledge, have any of the stores inside the
19 Heritage Market ever been represented by a labor union?

20 A Not to my knowledge.

21 Q Prior to the petition being filed in this particular
22 matter on June 6th of 2020, are you aware of any other petition
23 being filed related to any of the stores in the Heritage
24 Market?

25 A No.

1 Q You've described a competitive process for the selection
2 of Heritage Market partners. Can you describe for us the
3 process that you went through to select partners for the
4 Heritage Market?

5 A Sure. So as a regular practice at Starbucks, we will do
6 job fairs where we will gather leaders from across the market,
7 bring them together to do interviews, to support staffing the
8 market, whether that be a new store or new opportunities, et
9 cetera. And so we just leverage the same practice that we have
10 for hiring in other cases for the Heritage Market as well.

11 So district managers selected leaders off of their team.
12 Some were hiring specialists within the districts. Some were
13 partners that had had experience hiring leaders for their
14 districts in different capacities, and they selected store
15 manager leaders to come together to support a hiring fair here
16 in Seattle.

17 Q And so the leaders that are conducting interviews would
18 have been -- it would have included leaders from outside of the
19 Heritage Market?

20 A Yes, that's correct. So we pulled leaders from all 84
21 stores. It was a random selection and choice from each
22 district, from across the portfolio. So both Seattle Metro,
23 Olympic Peninsula.

24 Q And during the hiring fair, are interviews then conducted
25 at that time?

1 A Yes.

2 Q Was each barista or shift supervisor who applied given the
3 opportunity to interview?

4 A Yes.

5 Q So if I wanted to be hired as a Heritage barista through
6 the competitive process, I needed to complete an application,
7 participate in an interview. Anything else I needed to do to
8 make sure I was considered for those positions?

9 A No. Applying for the position and then setting up the
10 interview with the recruiter -- recruiting team and then
11 showing up for the interview. I think it's important to note
12 that we had some leaders who were traveling, some leaders that
13 couldn't make it to Seattle for the interview. And so we
14 interviewed those leaders virtually as an option as well to
15 make it most accessible for leader -- for partners who are
16 wanting to apply.

17 A So if I was a -- a barista and wanted to play for a
18 Heritage barista position and I was going to be out of town, I
19 could have signed up for a virtual interview?

20 A Yes, that's correct. And there were, I believe, one
21 leader, I'd have to look back at my notes to be exact, that was
22 not able to make the days that we had these scheduled for. And
23 so they were -- they were interviewed after the event was
24 concluded. So we tried our best to make sure that all partners
25 who had applied had the opportunity to interview at a time that

1 worked for them.

2 Q And are you still continuing through that process now?

3 A Yes, we are. The application is still open and we're
4 receiving candidates.

5 Q What is your ideal number or range of partners that you
6 would have at the 1st and Pike store when -- when it's got its
7 full complement of partners?

8 A Ideal state for high season, which is summer is 35 to 40
9 partners and off peak 25 to 30.

10 Q And same question for the Pike Place location. What's the
11 ideal complement of partners at that location?

12 A 55 to 60.

13 Q Is that year round or is that just during peak?

14 A Year round.

15 Q And then 1st and University?

16 A 15 to 18.

17 Q And is that one year round or does that fluctuate based on
18 peak?

19 A Yeah, right now, year round, we don't have as much of a
20 summer season in that store due to the draw of customer that we
21 see there.

22 Q Do -- do you know approximately how many partners were in
23 the 1st and Pike Store when the petition was filed on June 6th?

24 A I'd have to look --

25 Q Or --



1 A -- yeah, I --

2 Q I can clarify. At the number of partners at the 1st and
3 Pike Store when the petition was filed on June 6th?

4 A I'd have to look at a roster for exact numbers, but I
5 believe there were 22 partners, could be 23.

6 Q And do you know of those partners who were working in this
7 store when the petition was filed, how many of them are
8 applying for Heritage positions?

9 A I believe a dozen, 12.

10 Q How many, if you know, of those 12 were offered Heritage
11 positions?

12 A I believe six.

13 Q So at the 1st and Pike store, somewhere around 22 to 23
14 partners were there when the petition was filed, approximately
15 12 applied, and 6 partners received Heritage offers?

16 A Yes.

17 Q At the Pike Place --

18 MR. HAMMOND: Well, strike that.

19 Q BY MR. HAMMOND: After those initial set of one on ones
20 when the Heritage Market was announced to partners, was there
21 any follow up with partners encouraging them to apply, or was
22 it just that -- that one touch base?

23 A Yes, there were several touch points with partners. Once
24 we had the initial conversations, we then asked the store
25 manager leaders and district managers to circle back and make

1 sure that partners had access to a device where they could
2 apply. Did they need any help applying, encouraging leaders to
3 apply, following up on questions that were asked, or new
4 questions that had surfaced over the time from informed to
5 apply?

6 We also had a recruiter who kept track of each store and
7 each store's roster to be able to make sure that if there was
8 something that came up with a leader, we could circle back and
9 say, hey, you haven't applied yet. We'd love to check in. Do
10 you have access? Are you interested? How -- what can we do to
11 support you? Do you have any questions?

12 So there were several touch points along the way to make
13 sure that partners had both access to resources and questions
14 answered to encourage all of the leaders to apply.

15 Q And so that was -- those kinds of communications were
16 extended to all the partners who were in stores within the
17 Heritage Market prior to the Heritage Market being implemented?

18 A Yes, that's correct.

19 Q Were their partners who applied for Heritage Market
20 positions who were based in a store other than the three stores
21 in the Heritage Market?

22 A Yes, we did have a small handful of partners who were not
23 in the Heritage Market, who also applied for these positions.
24 So stores throughout our area, neighboring areas as well we had
25 candidates apply from other markets.

1 Q Who were those candidates given an opportunity for an
2 interview if they applied?

3 A Yes. All candidates who applied were given the
4 opportunity to interview.

5 Q How is a decision made on which partners to provide a --
6 an offer in the Heritage Market to -- based on your -- the
7 process you went through?

8 A So each of the leaders was interviewed by the panels that
9 were assembled by the recruiter. Those leaders who interviewed
10 those candidates provided interview notes for the candidates.
11 And once those interview notes and the interviews were
12 concluded, myself, Jessica Borton, our RVP, and Cora Carter
13 ultimately made the decisions on selections for the Heritage
14 Market.

15 Q Were there partners from 1st and University who applied
16 for the Heritage Market positions?

17 A Yes.

18 Q And similar questions I asked you about for 1st and Pike,
19 do you know approximately how many partners were at that store
20 when the petition was filed on June 6th?

21 A At 1st and University?

22 Q Right.

23 A I believe there were 14, but I'd have to look back at my
24 notes to be exact.

25 Q Do you know how many of those partners applied for

1 Heritage positions?

2 A I would have to look at my notes to be exact, but I
3 believe five or six.

4 Q And how many of those applicants, to your knowledge, were
5 selected for Heritage roles?

6 A I would have to look at my notes to be exact, but I
7 believe five leaders were offered positions.

8 Q And then similar questions for the Pike Place store.
9 Approximately how many partners were there when the petition
10 was filed on June 6th?

11 A I believe 39.

12 Q Do you know how many applied for Heritage roles?

13 A All -- all but four partners applied for roles.

14 Q How many were offered Heritage positions?

15 A I don't know the number off the top of my head. It's a
16 much larger team.

17 Q Do you know why that's the case, that there was a larger
18 number of teams selected for Pike Place compared to the other
19 two stores?

20 A Well, it's a far larger team.

21 Q Okay.

22 A They're also really used to the work. And so when you
23 think about they are in the day to day with immersions. They
24 have a little bit of the training already established with the
25 equipment and the machines. And so there's a little bit more

1 familiarity with the Heritage Market that I think the partners
2 at Pike Place felt comfortable with.

3 Q When were decisions communicated to partners based on this
4 first round of interviews in the selection process?

5 A I'd have to look at a calendar, but it was the day after
6 the Juneteenth holiday celebration observance. So Tuesday, I
7 don't know the calendar in front of me.

8 Q Yeah. Juneteenth this year was -- it's honored by most
9 people on Monday, June 20th, and then June 21st was --

10 A Yes. That's --

11 Q -- the day --

12 A -- that sounds correct. June 21st and some partners on
13 the 22nd.

14 Q And how were they informed of the decision?

15 A The recruiter who is supporting the Heritage Market job
16 fair personally called and offered positions and also
17 personally called and offered the decline and confirmed store
18 preferences for those leaders that were moving into stores
19 outside of the Heritage Market.

20 Q When did the partners for Heritage Market that were
21 selected actually start in their Heritage Market roles?

22 A Some store partners who were elected from 1st and
23 University and 1st and Pike, because their stores were closed
24 to support some of the construction that needed to take place,
25 were starting in the Heritage 1st, Store 301, as early as that

1 Tuesday or Wednesday. So they were moved into that store to
2 start working on that team on their --

3 Q That would have been --

4 A -- on their --

5 Q That would have been --

6 A -- next scheduled shift.

7 Q Okay. So that would have been either Tuesday, June
8 22nd -- I'm sorry, that would have been either Wednesday, June
9 22nd, or Thursday, June 23rd.

10 A Yes, if they were scheduled shifts. But if a partner say,
11 did not have a shift again until the weekend or maybe Friday,
12 they were just going to follow their -- they followed their
13 schedule that was in their first store in the new store. So
14 some didn't work until the weekend.

15 Q And if I was not selected for a Heritage Market position
16 or if I didn't apply for one, when is it that I would have
17 started working in my newly assigned store outside of the
18 Heritage Market?

19 A Yes, we paid the partners if you had a scheduled shift on
20 Wednesday or Thursday of that week, we wanted to provide enough
21 time for partners to figure out how to get to their new
22 location, figure out transportation, parking, childcare, any
23 situation that they might have in their personal lives. So we
24 paid the partners for a shi -- if they were scheduled Wednesday
25 or Thursday, their shifts were paid out, but they were not

1 required to work. They were then asked to work their next
2 scheduled shift, whether that be Friday, Saturday, Sunday, or
3 this week in their new selected preferred store.

4 Q Aside from the geographic location and the things you've
5 shared about these store --

6 MR. HAMMOND: Well, strike that.

7 Q BY MR. HAMMOND: With respect to these three stores, is
8 there any commonality with respect to the safety or security
9 measures implemented?

10 A Safety and security looks slightly different in each of
11 the locations. So at Pike Place Market, while we always have
12 the support of our Seattle Police Department, Pike Place Market
13 has its own internal security team. And so there will be
14 regular check ins on the daily from the Pike Place Market
15 security. They just roam around. They know our partners.
16 They are very -- their customers. And they also work in the
17 market. And so they're very active in that way. And then we
18 always default to SPD for any major incidents or support that
19 we need.

20 At 1st and Pike, it's on a very difficult corner, and so
21 we have made the decision as an organization to support that
22 store with a full-time security guard. That decision was made
23 early fall. Part of the reason for that is the lack of
24 resources at times on that corner. And we want to make sure
25 that our partners have the very best experience possible.

1 And so that store has a security guard who arrives before
2 the partners arrive for work, helps them get into the store and
3 starts the day with them, and then that security guard walks
4 out with them at the end of the evening and the close of the
5 store. So we have 24/7, when the partners are there, so not
6 quite 24/7, but when the partners are at all times in the
7 building, there is a security guard present. That security
8 guard helps to support and assist any incidents that may happen
9 in the store or any need for support as customers or community
10 members, as we like to say, but noncustomers are people that
11 may come in to cause issue, we have another support layer there
12 for our partners at 1st and Pike.

13 The second thing that the store has that is also at 1st
14 and University is a program that we call outreach worker. And
15 this is a program where Starbucks supports some of our
16 disadvantaged population who may be in and around our stores
17 and supports them in securing housing, maybe personal
18 identification, a hot meal or a place to rest, shower, et
19 cetera. So we have another layer of support for 1st and Pike
20 and 1st and University in the form of the outreach program,
21 which has helped us to see bit of a decrease in safety and
22 security incidents as we're being able to help support that
23 population of our -- our community members specific to 1st and
24 Pike and 1st and University.

25 1st and University does not have a guard. And primarily



1 when incidents or safety issues arise, they are able to and are
2 trained to, as are the partners at 1st and Pike, as are the
3 partners at 301 Pike Place, they are all three trained in de-
4 escalation tactics and how to walk away from a situation. But
5 first and foremost, partner safety is at the front of our mind.
6 And so they're also encouraged, taught, trained, and recognized
7 for leveraging 911 when needed.

8 HEARING OFFICER CHEREM: I have two clarifications that I
9 want to ask you to -- on the record. You mentioned SPD. While
10 I know everybody on this call knows what that means, I want to
11 make sure the reader of the record does. Can you define that
12 for us?

13 THE WITNESS: Yes, ma'am. It's Seattle Police Department.

14 HEARING OFFICER CHEREM: Thank you. And you also
15 mentioned that the decision was made about the security guard
16 in the fall. Were you referring to fall of 2021?

17 THE WITNESS: Yes, fall of '21.

18 HEARING OFFICER CHEREM: Thank you.

19 Q BY MR. HAMMOND: The outreach worker where there are
20 parties providing support to people in the community, is that a
21 ex -- going to be an expectation of all Heritage partners --

22 A Yes. All --

23 Q -- to barista --

24 A All Heritage partners will have the opportunity to go
25 through the training. So there's training that's encompassed

1 for stores that have outreach worker that's different for
2 stores that don't have outreach workers. So how to engage, how
3 to ask for support and resources. What do the outreach worker
4 support partners provide? What do they not provide? And how
5 to engage and interact with that outreach worker or outreach
6 workers who are assigned to those locations.

7 Q All right. I'm going to show you a document marked as
8 Employer Exhibit 21. And once it's on a screen, if you can
9 tell us if you're familiar with it.

10 A Yes. I'm familiar with this.

11 Q And can -- can you tell us what this is?

12 A Yes. These are the questions for the barista, for the
13 partners who interviewed for the Heritage barista, these are
14 the questions that were asked for -- of those partners
15 interviewing for the Heritage barista role.

16 Q And is each interviewee presented with the same questions?

17 A Yes. And there's a second document for shift supervisor.

18 Q And this -- we're just now pulled out of Employer Exhibit
19 22. Is that the shift supervisor questions you were talking
20 about?

21 A Yes, that's correct. All leaders had the same questions
22 whether you were -- you inter -- if you were interviewing for
23 shift supervisor, then the Heritage shift supervisor interview
24 questions were used. If you were interviewing for Heritage
25 barista, then the Heritage barista questions were used.

1 Q And let's start with Employer Exhibit 21 first, the
2 Heritage barista questions. Are these different than questions
3 that would be asked dur -- during a career fair for core store
4 baristas?

5 A Yes. They -- these questions were created to help
6 identify and support where leaders could share examples around
7 their passion for coffee, passion for customer, their
8 excitement around this new start up, if you will. So there
9 were some questions -- these questions are slightly different
10 from the core barista due to the elevated nature of these
11 roles.

12 Q And is the same true for the Employer Exhibit 22, the
13 shift supervisor questions?

14 A Yes, that's correct.

15 Q Are you familiar, Ms. Tovey, with the store located at 5th
16 and Pike?

17 A Yes.

18 Q And are you aware at some point of a petition being filed
19 at that particular store?

20 A Yes.

21 Q When that petition was filed, do you know which stores
22 were included in that district for 5th and Pike?

23 A Which stores were included in the compilation of the
24 district?

25 Q Right. For -- yeah -- I'm trying to find out when -- when

1 the 5th and Pike petition was filed -- well, let me ask it
2 differently. When the 5th and Pike petition was filed, were
3 any of the stores that are now in the Heritage Market in the
4 same district as 5th and Pike?

5 A Yes.

6 Q And which, if any, of the stores were a part of the 5th
7 and Pike district when the petition was filed for 5th and Pike?

8 A All three stores, Pike Place, 1st and Pike, and 1st and
9 University were all in the same district as 5th and Pike.

10 HEARING OFFICER CHEREM: Just to clarify, I thought that
11 earlier you said they were two were in one district and one was
12 in another district.

13 THE WITNESS: Yes, that's correct, Rachel. So in between
14 the time of the 5th and Pike petition and where we are today,
15 there was one change where Pike Place was extracted out and
16 placed into a different district.

17 HEARING OFFICER CHEREM: Whe -- about when -- and one of
18 the attorneys can chime in just for administrative notes about
19 when did the 5th and Pike store hearing occur or petition get
20 filed?

21 MR. HAMMOND: The hearing was on February 14th or started
22 on February 14th. I don't know the date --

23 HEARING OFFICER CHEREM: Okay. Of 2022 just for the
24 reader of the record because --

25 MR. HAMMOND: Yeah.

1 HEARING OFFICER CHEREM: -- difficult to take
2 administrative notice without the case number or the date or
3 anything.

4 MS. DIECKMAN: You want the case number? I have it pulled
5 up for you.

6 HEARING OFFICER CHEREM: Sure. Just in case it's relevant
7 for readers of the record.

8 MS. DIECKMAN: 19-RC-289458.

9 HEARING OFFICER CHEREM: Thank you. Okay.

10 And then so Ms. Tovey, you were saying that at the time in
11 approximately February of 2022, the three Heritage stores were
12 in the same district as that store?

13 THE WITNESS: Yes. That's correct. `

14 HEARING OFFICER CHEREM: But then between that moment and
15 recently, they split out Pike Place to a different district?

16 THE WITNESS: Yes, that's correct.

17 HEARING OFFICER CHEREM: Okay.

18 THE WITNESS: It's not uncommon at Starbucks to move
19 stores around. We are in the middle of some realignment work.
20 And what we wanted to do was to move Pike Place -- to do that
21 move earlier based on the busyness of the store and how many
22 leaders and store managers that the existing district managers
23 had had.

24 HEARING OFFICER CHEREM: Do you know about when that
25 removal of Pike Place from the prior district occurred?

1 THE WITNESS: I don't -- I don't recall the date offhand.

2 MR. IGLITZIN: And just for the record, the petition,
3 which I think is what the hearing officer asked about -- the
4 petition for 5th and Pike was filed on January 25th --

5 HEARING OFFICER CHEREM: Okay.

6 MR. IGLITZIN: -- 2022.

7 HEARING OFFICER CHEREM: Thank you again. I don't know
8 what the reader of the record might want. I don't know where
9 we're totally going with this, but I just figured it was better
10 to have something specific than something vague.

11 MR. HAMMOND: No, I appreciate that. And really, because
12 it's possible that the parties may want to refer to testimony
13 from that hearing that was related to what this district looked
14 like during the time of that hearing, as we've discussed off
15 the record, on at least one occasion, I thought it was
16 important to provide that context. That's the only reason I
17 wanted to clarify that.

18 HEARING OFFICER CHEREM: Okay.

19 MR. HAMMOND: I would like to offer some exhibits and
20 before I complete my direct examination of Ms. Tovey. And so I
21 would offer Employer's Exhibit 1.

22 MR. IGLITZIN: Give me a second.

23 HEARING OFFICER CHEREM: And those are the slides, right,
24 the April 18th and April 25th slides.

25 MR. HAMMOND: That's correct.

1 MR. IGLITZIN: Yeah. If I could voir dire the witness on
2 this?

3 HEARING OFFICER CHEREM: Sure.

4 **VOIR DIRE EXAMINATION**

5 Q BY MR. IGLITZIN: And maybe I mi -- I didn't follow.
6 These slides, it's an eight-page document. And can you explain
7 again what the actual document is?

8 HEARING OFFICER CHEREM: Excuse me, sir. Just for the
9 witness, would this -- do you have this in front of you or do
10 you want one of the attorneys to pull it up on the screen?

11 THE WITNESS: Just to be clear, if someone could pull it
12 up, that would be great.

13 HEARING OFFICER CHEREM: Just so that you know what you're
14 answering questions about.

15 MR. IGLITZIN: Yeah. No, that's great. Ryan --

16 HEARING OFFICER CHEREM: Yeah.

17 MR. IGLITZIN: -- can you do that easily or do you want me
18 to do that?

19 MR. HAMMOND: Yeah, if -- if you don't mind us controlling
20 it. I think Aly (phonetic throughout) can pull that up quicker
21 than I can.

22 MR. IGLITZIN: That would be great. Aly, if you don't --
23 if you don't mind.

24 HEARING OFFICER CHEREM: Thank you all.

25 THE WITNESS: Thank you.



1 MS. DIECKMAN: Give me a second. I'm not all that tech-
2 savvy.

3 HEARING OFFICER CHEREM: You're way better than I am, so
4 I'm --

5 THE WITNESS: You'd be waiting for next week if it was me.

6 MS. DIECKMAN: There you go.

7 HEARING OFFICER CHEREM: Thank you so much.

8 Q BY MR. IGLITZIN: So I -- what I'm seeing on the first
9 page is a slide, it had some text on it. It says April 18th,
10 2022, and -- and this is actually eight pages. Can you explain
11 again what this eight-page document is?

12 A Yes. These are notes from the meeting that we had, the
13 all-store meeting specific to Pike Place, in which the hourly
14 store partners, shift supervisors, and salary leaders had the
15 opportunity to come together and share what was important to
16 them, what made them proud to be a partner, what they wanted
17 more experience with, what they wanted more support with. So
18 these are the notes from the first of two all-store meetings
19 that were happening at the 1st store.

20 Q So when you say the notes of the first, are you talking
21 about pages one, two, and three, and four, and --

22 A No --

23 Q -- five?

24 A If you'd like, we could go to the very first slide and I
25 could tell you exactly slide by slide what is -- what is what?

1 So slide 1, entry page, cover page, date of the meeting.

2 Number 2 has the different slides and what the leaders --
3 questions that were posed to them and what they responded with
4 in relation to each title, which we can go to slide 3.

5 So slide 3, this was where we asked partners directly what
6 makes them proud to be a Starbucks partner. And each of these
7 bullet points represents a note, a post-it, a comment that was
8 made by partners and cap -- captured here.

9 Slide 4, this was a question around big Starbucks. What
10 were they like at an organization level?

11 If you go to slide -- perfect. Slide 5, what did they
12 want big Starbucks. So as a corporation, for us to continue
13 both in the store level, and what do the partners want our
14 leader shift teams, myself, district manager, et cetera to know
15 about what they're thinking and feeling and wanting.

16 Same with Slide 6, that's continued. So stop, start, and
17 continue. Store level. Some things they would like to stop
18 doing at the store level. Some things they'd like to start
19 doing and continue doing at the store level. What do we need
20 to know about the team, how they want to work together, support
21 that they need.

22 And then just a little place to capture all that didn't
23 quite fit, a little parking lot, if you will, into one of the
24 particular buckets. Same -- the -- so slide 11 is that parking
25 lot, my apologies.

1 And the the second cover page --

2 Q I'm sorry. I'm sorry. You said slide 11?

3 A Yeah.

4 HEARING OFFICER CHEREM: Yeah, right there. Page 11, I
5 guess? I guess? Yes, page 11.

6 Q Understood. Yes, thank you.

7 A No problem.

8 Q And then stop. Before you go to page 12, am I correct --
9 well, am I correct that page 12 is actually separate notes from
10 a separate meeting?

11 A Yes, that's correct.

12 Q All right. So if we could talk about pages 1 through 11
13 for a second, there was -- I take it there was actually, then,
14 a meeting that took place on April 18th; is that correct?

15 A Yes, that's correct.

16 Q And was that a in-person meeting or a Zoom meeting?

17 A In person.

18 Q And who prepared this document?

19 A This document was prepared with the notes that were
20 provided by myself to my coordinator, who summarized it into
21 this document.

22 Q So this document -- do you know when this document was
23 prepared?

24 A I don't know the exact date, but we turned it around very
25 quickly to the store so they could print and share with

1 partners.

2 Q So you provided notes to some other person prepared this
3 first pa -- first 11 pages of this document?

4 A Correct.

5 Q And who is that person?

6 A She is our regional coordinator who supports me.

7 Q What's her name?

8 A Her name is Lily Chow.

9 Q And what was the form of the notes that you provided to
10 her?

11 A I provided her the actual papers with all of the Post-its
12 and comments written on them, folded very carefully, to her and
13 delivered them for her to then open and transcribe.

14 Q So do you remember when this document was actually
15 generated?

16 A I do not.

17 HEARING OFFICER CHEREM: Sorry, I may have misunderstood.
18 I thought -- were you taking handwritten notes, or were you
19 taking, like, written notes that were provided to you by --

20 THE WITNESS: I was --

21 HEARING OFFICER CHEREM: -- other individuals?

22 THE WITNESS: Yes. I was at the meeting, and the partners
23 rotated through different stations, and they put their notes up
24 to the questions in the working sessions. And these were those
25 notes from that working session where the partners had affixed

1 their comments or wrote comments or shared verbal comments.

2 HEARING OFFICER CHEREM: Okay, so the notes were
3 aggregated. You just collected the ones that the partners
4 wrote down?

5 THE WITNESS: Yes, that's correct.

6 HEARING OFFICER CHEREM: And you weren't, like, taking
7 notes of what people said in a meeting?

8 THE WITNESS: No, ma'am.

9 HEARING OFFICER CHEREM: Okay. That was my confusion.
10 Sorry, Dmitri, you can continue.
11 Oh, sorry. Also, the top right corner of this page says
12 6/28/2022. Do you know what that date reflects?

13 THE WITNESS: No.

14 MS. DIECKMAN: If I may interject, Madam Hearing Officer,
15 it's the date that I printed it to PDF.

16 HEARING OFFICER CHEREM: Okay.

17 Dmitri, do you -- oh, there you go.

18 MR. IGLITZIN: Yeah.

19 Q BY MR. IGLITZIN: Is -- some of the text on this document
20 was not drafted by the partners, but was drafted by someone
21 else, I gather. Like, looking at page 2 of 8 --

22 MR. IGLITZIN: Sorry, go on up one more page, just by --
23 yeah, stop one more page down.

24 MS. DIECKMAN: Page 3?

25 MR. IGLITZIN: Page -- yeah, page 3.

1 Q BY MR. IGLITZIN: Just so I understand what this is, that
2 sentence, "What makes you proud to be a partner", am I correct
3 that that was written by someone who's not a hourly barista or
4 shift supervisor with Starbucks?

5 A To be exact, are you speaking about the text that was
6 written on this PowerPoint document or the question that was
7 posed to the partners in the meeting?

8 Q Well, both.

9 A Great. So in reference to the store meeting, the salaried
10 store partners -- so the store manager at the time, the
11 assistant manager, the second store manager -- they each hand-
12 transcribed the questions that you see. So in this particular
13 case, the "What makes you proud to be a partner?" was written
14 on a very large Post-it by one of those leaders.

15 And then the document that you see here, slide number 3,
16 the coordinator, Lily Chow, typed that, "What makes you proud
17 to be a partner?" on that PowerPoint document so that the
18 partners, when they go back, could reference the question that
19 was asked in the moment.

20 Q And so turning to page 4 -- slide 4, I guess -- or page 4
21 of this document, "Big Starbucks", was that also written by a
22 salaried Starbucks employee and not a barista or shift
23 supervisor?

24 A In -- not in this way that you see envisioned here -- or
25 shown here. That was a page break to represent a different

1 large Post-it during the meeting that was provided.

2 Q Provided by a manager?

3 A It's just a -- slide 4 is a place card holder that Lily --
4 or a holder in between the two questions that were asked.

5 Q Was it provided at the meeting or provided as part of
6 creating this document?

7 A I believe the question -- but I'd love it if we could look
8 at slide 5. This was, "What would we like Big Starbucks to
9 help to continue to support in our market?"

10 Q So "Big Starbucks", "Let's continue", and "What do we need
11 to know?" were prompts provided by Starbucks managers, to which
12 the shift supervisors and baristas then provided feedback?

13 A That's correct.

14 Q And then on the next page, page 6, "Big Starbucks", "What
15 should we start doing?" and "What should we stop doing?" are
16 also prompts provided by management?

17 A Correct. And it is -- just to be clear, I want to make
18 sure that I can explain, at Starbucks, we very frequently -- in
19 fact, almost on the daily -- ask questions around, what should
20 we start doing? What should we stop doing? What could we do
21 to increase your engagement or your experience in your role?
22 So these questions are very common to our Starbucks partner
23 population.

24 Q And then -- thank you. And then on the -- page 7, "Stir
25 level" is a frame that Starbucks management used as a

1 placeholder to separate these other slides, right?

2 A Correct.

3 Q And then on page 8, "Our store: what do we need to start
4 doing? What do we need to stop doing? What do we need to
5 continue doing?" are all prompts from Starbucks management,
6 correct?

7 A Yes. And to be clear, these are -- when we think about
8 what are problems that we can solve at a store level -- so some
9 of these examples are places where the team can come together
10 and problem solve and come up with their own solutions, whereas
11 the other slide, "Big Starbucks", would take and does take
12 additional resources and support to enact change.

13 Q Thank you for that clarification. Page 9, "What do we
14 need to know" -- or "Our store: what do we need to know?",
15 again prompts from management?

16 A Correct. And that is specific to the store environment,
17 so places where leaders can work together at the barista, shift
18 supervisor, assistant manager, and store-manager level in
19 having conversations and solving problems in that store
20 specifically.

21 Q The "Miscellaneous/parking lot ideas" on page 10, again, a
22 placeholder slide created by management?

23 A Correct. It was handwritten in the moment. And if a
24 partner or person came up with an idea that didn't quite fit
25 into one of those, we wanted a place that felt like a catch-

1 all.

2 Q Then page 11, just the top, the miscellaneous/parking lot
3 ideas is the prompt from management?

4 A Correct.

5 Q And then I take it that starting page 12, you have
6 basically the same structure for a meeting that took place on
7 April 25, 2022?

8 A Yes.

9 Q And on page 13, the question, "How do you want to
10 experience joy at work?" is a prompt by Starbucks management?

11 A Oh, I apologize. My computer just froze. Can you hear
12 me?

13 HEARING OFFICER CHEREM: Yes --

14 MR. IGLITZIN: I can --

15 HEARING OFFICER CHEREM: -- we can hear you.

16 MR. IGLITZIN: Yeah.

17 THE WITNESS: I just can't see anyone.

18 HEARING OFFICER CHEREM: If you need to take a minute to
19 log out and log back in, you can take a minute to do that.

20 THE WITNESS: Okay. I'm going to take a minute to do
21 that.

22 MR. HAMMOND: Can we go off the record while she does
23 that?

24 HEARING OFFICER CHEREM: Yes. Off the record.

25 (Off the record at 2:11 p.m.)



1 MR. IGLITZIN: Do you want to try to share it again?

2 Thank you.

3 **RESUMED VOIR DIRE EXAMINATION**

4 Q BY MR. IGLITZIN: And I think where we started to lose you
5 was I was confirming the sentence, "How do you want to
6 experience joy at work?" was a prompt from Starbucks
7 management?

8 A Yes.

9 THE WITNESS: And I just lost you all again.

10 HEARING OFFICER CHEREM: Okay. So let's actually have you
11 log out and log back in this time.

12 THE WITNESS: Thank you.

13 HEARING OFFICER CHEREM: All right. Off the record.

14 (Off the record at 2:12 p.m.)

15 HEARING OFFICER CHEREM: All right. We had some technical
16 difficulties that now seem to be improved. When we left off,
17 we were still in voir dire for Employer Exhibit 1, with
18 Petitioner's counsel asking questions of the witness.

19 Go ahead.

20 MR. IGLITZIN: Alyson, if you could put that exhibit back
21 up?

22 **RESUMED VOIR DIRE EXAMINATION**

23 Q BY MR. IGLITZIN: I think I just asked you, and I think
24 you answered that "How do you want to experience joy at work?"
25 being another management prompt to the baristas and shift

1 supervisors?

2 A Yes. That's accurate.

3 Q And then if we can go to the next page down, page 14, "How
4 do you want to contribute?", also a management prompt?

5 A Yes, and specific to their personal leadership and
6 ownership in store, process, communication, et cetera.

7 Q And when you say, "specific to", actually, you were
8 referencing -- the communication was made verbally at the
9 meeting, not something in the document?

10 A Correct.

11 Q Thank you. And then on page 15, "How do you want others
12 to contribute?" repeated again, that's still management's
13 prompt?

14 A Yes. And it's, I think, important to note that we
15 frequently ask partners, how do they want to communicate with
16 us? How do they want to communicate with each other? What
17 does problem conflict resolution look like? What does
18 recognition look like? Those are frequent things that we spend
19 a lot of time talking with our leaders about at Starbucks.

20 Q And when you say leaders, in that context, you're
21 referring to shift supervisors and baristas, as well as other
22 Starbucks employees, right?

23 A Yes, in this context, anyone who wears a green apron.

24 Q Okay.

25 HEARING OFFICER CHEREM: So just to clarify, earlier, you

1 had in a different context used "leaders" to talk about
2 salaried employees at a higher level of management, and in this
3 context, "leaders" is anybody employed by Starbucks in a green
4 apron?

5 THE WITNESS: That's correct. So any barista, any shift
6 supervisor, any district manager. Correct.

7 HEARING OFFICER CHEREM: Okay. So multiple uses of the
8 word "leader". Thank you for clarifying.

9 MR. IGLITZIN: I have no objection to the admission of
10 Employer Exhibit 1.

11 HEARING OFFICER CHEREM: Hearing no objection, Employer 1
12 is received.

13 **(Employer Exhibit Number 1 Received into Evidence)**

14 MS. DIECKMAN: Can we go off the record for one second?

15 HEARING OFFICER CHEREM: Yes. Off the record.

16 (Off the record at 2:18 p.m.)

17 HEARING OFFICER CHEREM: Great. moving on after the
18 receipt of Employer Exhibit 1. And we're going to do a quick
19 repeat because the court reporter was briefly dropped from the
20 call.

21 **RESUMED DIRECT EXAMINATION**

22 Q BY MR. HAMMOND: I wanted to ask you, Ms. Tovey, a couple
23 of questions about Employer Exhibit 1. There was a reference
24 in there to -- on one of the slides where partners had said,
25 "Bring back black aprons". Do you know what that's in

1 reference to?

2 A Yes, I sure do. So the black apron is what you receive at
3 the commencement of your Coffee Master training.

4 Q And so is the fact that Heritage Market baristas will be
5 required to complete the Master Coffee training (sic), one of
6 those examples of something that you learned during this
7 meeting that you built into the Heritage Market?

8 A Yes. It was a direct request from the partners to bring
9 that back and support that additional training and then the
10 commencement of that with the black apron as a celebration and
11 recognition.

12 MR. HAMMOND: I offer Employer Exhibit 2.

13 HEARING OFFICER CHEREM: Okay. Petitioner, any voir dire
14 about Employer Exhibit 2 or a position?

15 MR. IGLITZIN: Yes. Give me just a moment. Yeah, I'm
16 sorry. Ryan, for some reason, the questions you just asked, I
17 was distracted for a second. My recollection of the testimony
18 is that this witness did not send this email, did not receive
19 this email.

20 **RESUMED VOIR DIRE EXAMINATION**

21 Q BY MR. IGLITZIN: So I guess my voir dire question is, is
22 that correct?

23 MR. HAMMOND: That's to you, Ms. Tovey.

24 HEARING OFFICER CHEREM: Yes, could you --

25 A Oh. So just to be clear, you are asking me if I received

1 this email and/or if I sent this email? Is that the question?

2 Q That is the question.

3 A I did not send, and I did not receive. But I was aware of
4 the decision that was made in regards to the Heritage Market.

5 MR. IGLITZIN: Yeah. We object to admission of this
6 exhibit for lack of foundation.

7 MR. HAMMOND: If I could just ask a follow-up question?

8 **RESUMED DIRECT EXAMINATION**

9 Q BY MR. HAMMOND: Ms. Tovey, was this email forwarded to
10 you in the regular course of business?

11 A I would have to go back and check --

12 Q Okay, you don't know?

13 A -- to confirm.

14 HEARING OFFICER CHEREM: Okay. I'm going to hold off
15 ruling on this. I'm going to hold off ruling on this one.

16 MR. HAMMOND: I offer Employer Exhibit 3.

17 HEARING OFFICER CHEREM: Those are the Heritage Market
18 FAQs.

19 **RESUMED VOIR DIRE EXAMINATION**

20 Q BY MR. IGLITZIN: And again, Ms. Tovey, I apologize if I'm
21 asking you to answer questions you already answered. It's been
22 that kind of a day. Do you know who wrote the text on this
23 document?

24 A I do not.

25 Q Is it your testimony that you know how this document was

1 distributed?

2 A Yes.

3 Q And how was it distributed?

4 A It was, I believe -- I'd have to go back and confirm --
5 sent as an attachment to the leaders of the market.

6 Q I'm sorry. By "leaders", what do you mean?

7 A Salaried leaders who receive email communication.

8 MR. IGLITZIN: So I'm going to object to this exhibit
9 unless the Employer's able to find the email that it was
10 purportedly attached to so we can see what was actually
11 communicated, and to whom, and by whom.

12 MR. HAMMOND: My response to that, you know, this is --
13 this is a nonadversarial proceeding. This is a business
14 record. It's been provided as a foundation for a business
15 record. It certainly was provided -- there's testimony and
16 foundation provided how it was utilized. You know, I don't
17 think that we need to go through and actually find the specific
18 email. It would have been distributed based on the testimony
19 that's already been provided.

20 MR. IGLITZIN: So I don't remember the testimony
21 corroborating what Mr. Hammond has said. I see a document, and
22 I've heard testimony that there's some belief it was actually
23 sent to leaders attached to some email. But this witness, by
24 her account, is not 100-percent certain when it happened or who
25 it was sent to, what the email sending it said. And I think

1 that's all necessary to have there be a proper foundation for
2 this document.

3 THE WITNESS: If I might add -- I'm not sure if that's
4 appropriate. But why would --

5 HEARING OFFICER CHEREM: Okay. So hang on just a second.
6 I'm still ruling on the document. So one moment. If someone
7 asks you a question, then you can feel free to chime in.

8 MR. HAMMOND: Well, I would just -- I would just ask
9 that -- I suspect she can provide additional clarity based on
10 the concern --

11 HEARING OFFICER CHEREM: Okay, okay.

12 MR. HAMMOND: -- that's been raised and just give her that
13 opportunity.

14 HEARING OFFICER CHEREM: Sure. That's fine.

15 THE WITNESS: Am I able to add --

16 HEARING OFFICER CHEREM: Go ahead, yes.

17 THE WITNESS: -- comment?

18 HEARING OFFICER CHEREM: Yes.

19 THE WITNESS: Okay. It is not atypical -- in fact, it's
20 quite customary for our PRO -- HR -- to provide frequently-
21 asked questions around anything through a competitive process,
22 anything in regards to how to apply for a role at Starbucks,
23 and/or any pay. And so my recollection is that a PRO leader
24 helped to provide this, but I was not a part of the pulling
25 together of this document, nor would I be in my role that I

1 support. This would be a PRO function.

2 MR. IGLITZIN: And so my position remains that we need
3 potentially to have this PRO leader come and testify about this
4 document and authenticate it, or some -- something to -- that
5 would at least authenticate it as a business record that
6 actually is what Mr. Hammond is purporting it to be. Because
7 on its face, it does not purport to be any of those things.
8 It's just a frequently-asked que -- piece of paper with some
9 words on it.

10 HEARING OFFICER CHEREM: For this one, I'm going to
11 overrule Petitioner's objection. And there was some testimony
12 earlier about approximately when it was sent out to the
13 leaders. Obviously, to the extent that you wish to seek that
14 email, you're free to do so. But the reader of the record can
15 give it the weight due given the information contained on the
16 document and the record.

17 **(Employer Exhibit Number 3 Received into Evidence)**

18 MR. IGLITZIN: And just for the record, we think that our
19 subpoena has actually -- incorporates a request to see any
20 email that this was attached to.

21 HEARING OFFICER CHEREM: Okay. So then we can definitely
22 address that if it comes up as part of the subpoena production
23 issue. And you're free to the extent we might need to recall
24 this witness or a different witness to get that into the record
25 for Petitioner. I'm happy to do that as needed, as well.

1 MR. IGLITZIN: Thank you.

2 HEARING OFFICER CHEREM: Okay. So that was Employer 3.

3 MR. HAMMOND: Yes. And I offer Employer Exhibit 4.

4 HEARING OFFICER CHEREM: That was the announcement. Is it
5 the one with the QR codes at the bottom, or is this a different
6 one? Different one, okay.

7 MR. HAMMOND: It's a different one.

8 **RESUMED VOIR DIRE EXAMINATION**

9 Q BY MR. IGLITZIN: And again -- apology, Ms. Tovey. Did
10 you -- is it your testimony that you wrote this announcement?

11 A Yes. I wrote this in partnership with our regional vice
12 president, Jessica Borton.

13 Q And is it your testimony that this was communicated in
14 some way throughout Area 10?

15 A Yes, that is correct. It was communicated throughout Area
16 10, specific to these three Heritage stores. It was also
17 posted on our Workplace, which is our internal workplace
18 communication site.

19 Q My recollection is when this first came up on the screen,
20 there were comments in the margin, and then the comments are
21 not in the version that has been put in the share file.

22 MS. DIECKMAN: Mr. Iglitzin, the -- you'll get a native
23 form of this document in the document production, but I had
24 always intended to provide a PDF version for purposes of the
25 exhibit. I was just working on getting those converted at the

1 outset of the hearing this morning.

2 MR. IGLITZIN: Okay. Thank you.

3 I don't object to this exhibit, but I will note that when
4 we get the native version with comments, we may need to --
5 depending when we get it, we might need to recall this witness
6 to be able to ask about it.

7 HEARING OFFICER CHEREM: Sure. Noted. All right, with
8 that, Employer Exhibit 4 is admitted.

9 **(Employer Exhibit Number 4 Received into Evidence)**

10 MR. HAMMOND: I offer Employer Exhibit 5.

11 HEARING OFFICER CHEREM: That's the Heritage Market
12 talking points. Petitioner?

13 MR. IGLITZIN: Yes. If I could voir dire?

14 HEARING OFFICER CHEREM: Yes.

15 **RESUMED VOIR DIRE EXAMINATION**

16 Q BY MR. IGLITZIN: Do you know who wrote the text on this
17 document?

18 A I do not.

19 Q Do you know how -- if -- if it was communicated to anyone?

20 A I'm not sure where this was used.

21 MR. IGLITZIN: I'm going to object. A lack of foundation.

22 HEARING OFFICER CHEREM: How did this come into -- is this
23 something that you saw during the course of your regular work?

24 THE WITNESS: Yeah, I --

25 HEARING OFFICER CHEREM: While preparing for this hearing?

1 THE WITNESS: Yeah, I -- I don't recall where I saw this.
2 We worked as a team, Jessica and I, on talking points for this
3 market as we were preparing for this startup. But I don't
4 recall where -- I -- I have seen this document; I don't recall
5 where.

6 HEARING OFFICER CHEREM: Okay.

7 MR. IGLITZIN: I -- I -- I renew -- consistent with my
8 objection, not knowing who it was sent to, as well as who --
9 who authored it, and how it might have been distributed,
10 there's just not an adequate foundation; it's just a piece of
11 paper.

12 HEARING OFFICER CHEREM: Yeah, I'm going to reserve ruling
13 on that one as well. I just want to think about a couple of
14 these. Okay. Next.

15 MR. HAMMOND: I offer Employer Exhibit 6, oh -- sorry,
16 Employer Exhibit 7.

17 HEARING OFFICER CHEREM: No, you still haven't done 6.

18 MR. HAMMOND: Okay. Employer Exhibit --

19 HEARING OFFICER CHEREM: Well, I mean you can go to 7 if
20 you want, but we still need to go back and address 6.

21 MR. HAMMOND: I'm going to offer Employer Exhibit 6, then
22 I'll offer Employer Exhibit 7 after that.

23 **RESUMED VOIR DIRE EXAMINATION**

24 Q BY MR. IGLITZIN: Ms. Tovey, do you know who drafted this
25 document?

1 A I believe our Partner Resources manager Rob, was
2 instrumental in compiling these questions and answers, in a FAQ
3 document.

4 Q And do you have any knowledge about this document having
5 been provided to anyone?

6 A I believe it was provided to the salaried leaders who
7 applied for these roles, and available upon, request, for the
8 hourly partners to review as well.

9 MR. IGLITZIN: I have no objections to this exhibit. Oh,
10 yeah, I have no objection.

11 HEARING OFFICER CHEREM: Okay. Hearing no objection,
12 Employer 6 is received.

13 **(Employer Exhibit Number 6 Received into Evidence)**

14 MR. HAMMOND: I offer Employer Exhibit 7.

15 HEARING OFFICER CHEREM: Petitioner?

16 MR. IGLITZIN: Hang on a second.

17 MS. MULTHAUP: My computer is thinking.

18 HEARING OFFICER CHEREM: No problem. And this is the
19 Heritage Market Executive Overview.

20 MS. MULTHAUP: No. It just stopped cooperating.

21 MR. IGLITZIN: I might be able to do it.

22 MS. MULTHAUP: Okay.

23 MR. IGLITZIN: All right. Can you see my -- my screen
24 now?

25 THE WITNESS: Yes. Yes.

1 MR. IGLITZIN: All right.

2 **RESUMED VOIR DIRE EXAMINATION**

3 Q BY MR. IGLITZIN: Do you know who authored this document?

4 A I believe Jessica Borton, Regional Vice President.

5 Q And do you know to whom Ms. Borton distributed it?

6 A RD, so Regional Director and above, and the leaders that
7 she would generally work with on something of this nature.

8 Q So I'm sorry, Jessica Borton is the Regional Director --

9 A Regional Vice President.

10 Q She's Regional Vice President. So she would have
11 distributed it to the Regional Director?

12 A She -- well, from -- I would have access and visibility to
13 it, as it pertains to the Heritage Market, which is in my
14 portfolio of stores, and then she would have used this, I
15 believe, to communicate with her leaders on the market changes
16 that were taking place at her level and above.

17 HEARING OFFICER CHEREM: Sorry. Just to clarify. This
18 time when you say her leaders, are you talking about the people
19 to whom she reports?

20 THE WITNESS: Yes, that is correct.

21 HEARING OFFICER CHEREM: Okay.

22 MR. IGLITZIN: Great. I don't have any objection to this
23 exhibit.

24 HEARING OFFICER CHEREM: Hearing no objection, Employer 7
25 is received.



1 draft. That was provided by our recruiting team as they built
2 the QR codes that made direct links to the positions that were
3 offered.

4 Q And do you know if or how this document was distributed,
5 and to whom?

6 A Yes. It was sent in email format to all stores in area
7 10. It was posted on our internal workplace site, and posted
8 to My Daily for the districts in my market, specifically. And
9 I believe other district within our region here in western
10 Washington.

11 Q And do you know when it posted and made available on those
12 ways?

13 A I would have to go back and confirm the date that it was
14 posted to those sites.

15 MR. IGLITZIN: Okay. I don't object to this exhibit.

16 HEARING OFFICER CHEREM: Hearing no objection, Employer 8
17 is received.

18 **(Employer Exhibit Number 8 Received into Evidence)**

19 **RESUMED DIRECT EXAMINATION**

20 Q BY MR. HAMMOND: With respect to Employer Exhibit 8, Ms.
21 Tovey, if I'm remembering your testimony correctly, it would
22 have been posted sometime towards the end of the week of May
23 23rd?

24 A Yes. What we needed to do first, as per my earlier
25 testimony, was make sure that the individual partners had had



1 their first connect. And so it was sometime during the week of
2 the 23rd, but Dmitri's question was the exact date, and of that
3 exact date I don't recall the exact date.

4 MR. HAMMOND: I offer Employer Exhibit 21.

5 HEARING OFFICER CHEREM: The interview questions for
6 Heritage baristas? Petitioner?

7 MR. IGLITZIN: Thank you.

8 **RESUMED VOIR DIRE EXAMINATION**

9 Q BY MR. IGLITZIN: Do you know who drafted these interview
10 questions for the Heritage baristas?

11 A These interview questions were, I believe, drafted by our
12 Partner Resources team.

13 Q And do you have first-hand knowledge that people doing
14 interviews used these interview questions?

15 A Yes, I do. I was present for both days of the
16 interviewing.

17 Q And I'm sorry, what days were those; do you recall?

18 A I'd need to look at a calendar, but I believe Tuesday,
19 Wednesday, and Thursday. I'd need to look at a -- I know it
20 was Tuesday, Wednesday, Thursday, but I believe I'd need to
21 look at a calendar for the dates.

22 HEARING OFFICER CHEREM: Do you remember if it was May or
23 June?

24 THE WITNESS: It was -- it was June. It was June.

25 HEARING OFFICER CHEREM: Of 2022?



1 THE WITNESS: Yes.

2 MR. IGLITZIN: I don't have any objection to that exhibit.

3 HEARING OFFICER CHEREM: Hearing no objection, Employer 21
4 is received.

5 **(Employer Exhibit Number 21 Received into Evidence)**

6 MR. HAMMOND: I offer Employer Exhibit 22.

7 HEARING OFFICER CHEREM: Petitioner? And that's the
8 interview questions for the Heritage shift supervisors?

9 MR. IGLITZIN: Thank you.

10 **RESUMED VOIR DIRE EXAMINATION**

11 Q BY MR. IGLITZIN: Do you know who drafted these interview
12 questions?

13 A Same. Our Partner Resources Partner Relations.

14 Q And do you have personal knowledge that these questions
15 were asked?

16 A Yes, I do.

17 MR. IGLITZIN: I have no objection.

18 HEARING OFFICER CHEREM: Hearing no objection, Employer 22
19 is received.

20 **(Employer Exhibit Number 22 Received into Evidence)**

21 HEARING OFFICER CHEREM: Okay. So I have a pending ruling
22 for me, Employer 2 and Employer 5. But everything else that
23 has been offered, I believe should be admitted into the record,
24 and hopefully, the court reporter can confirm that.

25 THE COURT REPORTER: That is correct.



1 HEARING OFFICER CHEREM: All right. Employer, your
2 witness.

3 MR. HAMMOND: I have no further questions at this time.
4 Thank you.

5 HEARING OFFICER CHEREM: Thank you. With that, I suggest
6 a five-minute break. We can come back at 2:45, and then at
7 that point, I'll be asking some questions, and then if we need
8 to take another break before Petitioner has questions, that's
9 fine as well, and we'll do our best to wrap up before 4:30 with
10 you if we can.

11 MR. IGLITZIN: Thank you.

12 HEARING OFFICER CHEREM: All right. We're going off the
13 record and I'm going to mute here.

14 (Off the record at 2:39 p.m.)

15 HEARING OFFICER CHEREM: Let's go back on the record.

16 THE COURT REPORTER: We are back on the record.

17 HEARING OFFICER CHEREM: All right. We are back on the
18 record. A reminder you're still under oath. As you know, I'm
19 the hearing officer for the National Labor Relations Board.
20 I'm going to ask you first, some clarifying questions about
21 your testimony, and then just sort of a general list of
22 questions I have from our hearing officer's manual that I want
23 to make sure I check through just in case it's necessary for
24 the person who reads this record.

25 HEARING OFFICER CHEREM: One clarifying question was in



1 addition to the Coffee Master program, you also mentioned the
2 Coffee Academy earlier. What is the Coffee Academy?

3 THE WITNESS: Yes. Coffee Academy is a series of
4 trainings and modules, and in-store experiences, that support
5 ongoing coffee education. There's a level 100, a level 200,
6 and a level 300.

7 HEARING OFFICER CHEREM: And who participates in the
8 Academy?

9 THE WITNESS: Yes. In stores and in a core store, those
10 are modules and experiences that the leader can work with their
11 store manager to opt into to participate. And in Heritage
12 Market, these will be opportunities that will be part of the
13 onboarding and training.

14 HEARING OFFICER CHEREM: And in that context when you said
15 the leader could work with their store supervisor, is that the
16 barista or shift supervisor?

17 THE WITNESS: Yes, that's correct.

18 HEARING OFFICER CHEREM: Okay. Okay, so what you're
19 saying is that people who are baristas or shift supervisors at
20 core stores can opt to do that with their store manager?

21 THE WITNESS: With their store manager's support, yes.

22 HEARING OFFICER CHEREM: Support. Okay. And about --
23 what is the nature of the -- how long does that program take --
24 the Coffee Academy? What's the duration time?

25 THE WITNESS: Yeah, I don't know off the top of my head

1 how long each module would take, and there's a series of three.
2 So it can depend, based on number of hours you work, the amount
3 of time that you're going to dedicate to that, it can vary.

4 HEARING OFFICER CHEREM: Okay.

5 THE WITNESS: It's a self-paced program in company-
6 operated core stores.

7 HEARING OFFICER CHEREM: Okay. You mentioned that there
8 was a five percent increase for hourly rates at the Heritage
9 store. Can you give me the approximate wage ranges for core
10 stores in the Heritage stores for shift supervisor and
11 baristas? If you don't know, that's okay.

12 THE WITNESS: Yes. I don't know.

13 HEARING OFFICER CHEREM: Okay. And that's true for all
14 the questions I'm going to ask you, especially when I get to my
15 hearing officer's list. If you don't know, just say you don't
16 know.

17 THE WITNESS: No problem.

18 HEARING OFFICER CHEREM: You mentioned there was going to
19 be training on the new POS device? What's the nature of the
20 training for the new POS device?

21 THE WITNESS: Yes. One of the things that's different
22 about the POS, we call it the handheld POS, is the way that you
23 need to take the orders, and then you suspend the transaction
24 to be pulled up on a POS inside the store. And so there's some
25 nuance there because the handheld POS device does not actually

1 take payment. So it's really important to train the leaders on
2 all the modifiers, the customer's name, and anything specific
3 related to that person's order, in a different way than what we
4 currently capture on our in-house POS system.

5 HEARING OFFICER CHEREM: And again, what's the nature of
6 that training, in terms of module handheld?

7 THE WITNESS: Yep. It's a -- a paper that they can read,
8 and then it's application. So they get to practice with a peer
9 or a partner and use the device for training.

10 HEARING OFFICER CHEREM: For the job fair, was this a
11 Heritage-only job fair, or was it a job fair for other
12 positions as well?

13 THE WITNESS: Heritage only.

14 HEARING OFFICER CHEREM: Have any schedules been drafted
15 for the three Heritage stores?

16 THE WITNESS: I don't know.

17 HEARING OFFICER CHEREM: Okay. You discussed the policies
18 about borrowing partners between the Heritage stores and
19 between Heritage store and core stores. Are there any written
20 policies and procedures that reflect what you testified about?

21 THE WITNESS: None to my knowledge.

22 HEARING OFFICER CHEREM: So okay. It's just a -- employer
23 preference that -- but it's not documented anywhere. Okay.

24 THE WITNESS: It -- it may be on the FAQ.

25 HEARING OFFICER CHEREM: Okay.

1 THE WITNESS: That we have in the exhibit, but I'd have to
2 go back and check.

3 HEARING OFFICER CHEREM: Okay. And were there other -- I
4 think you testified to this, but just in case. Were there
5 other interviews besides those at the hiring fair for the
6 Heritage positions?

7 THE WITNESS: Yes, there were. There were salaried
8 interviews for salaried leaders the week prior. So the store
9 manager, associate manager, district manager, and OCM.

10 HEARING OFFICER CHEREM: Okay. And you testified to the
11 full complement you expected at each store for high season and
12 low season. Do you know what those numbers were based on?

13 THE WITNESS: What we believe is enough partners to both
14 run the day-to-day operations, and provide partners with the
15 amount of hours that they would like, as well as vacations,
16 time-off requests, general day-to-day scheduling.

17 HEARING OFFICER CHEREM: Were you part of the establishing
18 those numbers for the full complement in deciding what the
19 number would be?

20 THE WITNESS: The district manager was involved, as well
21 as store managers. Those weren't decisions that I made solely.

22 HEARING OFFICER CHEREM: But you participated in that
23 decision?

24 THE WITNESS: Correct. I participated in conversations
25 about the numbers of partners.

1 HEARING OFFICER CHEREM: Okay. Turning to the nature of
2 the physical changes being made to the petitioned-for store at
3 First and Pike, when was it decided to -- that the store would
4 be remodeled?

5 THE WITNESS: The store was already remodeled prior to the
6 petition. So it had a major renovation within the last, I
7 believe, two years.

8 HEARING OFFICER CHEREM: Okay.

9 THE WITNESS: I'd have to get the exact date. But there
10 were some equipment upgrades that we wanted to make to the
11 store as well, with the pitcher rinsers, and some of the
12 cabinetry, and some of the back line and the flooring.

13 HEARING OFFICER CHEREM: I guess my question is there's --
14 it's currently undergoing some sort of remodeling and is
15 closed.

16 THE WITNESS: Construction, correct. Planned
17 construction.

18 HEARING OFFICER CHEREM: When was the decision made about
19 the current construction?

20 THE WITNESS: I don't know the exact date, but it was
21 during the month of June.

22 HEARING OFFICER CHEREM: And can you let me know what are
23 again, you -- what are some details about the changes that are
24 being made with the physical space?

25 THE WITNESS: Yes. So it's mostly back line enhancements.

1 So some of the cabinetry work, the pitcher rinsers, which is
2 where the baristas rinse the pitchers next to, and adjacent to,
3 the espresso machines. The back line flooring is also being
4 addressed. Those are some of the -- the big ones. And then
5 there's some cosmetic work around safety with the shades, some
6 paint, and some directional around mobile order pick-up area,
7 some cosmetic details that are being done.

8 HEARING OFFICER CHEREM: Okay. Do you know if there's any
9 sort of written timeline for the different phases of rolling
10 out the Heritage Market?

11 THE WITNESS: I don't recall.

12 HEARING OFFICER CHEREM: Do you know what, if any, phases
13 are involved in the planned Heritage Market rollout?

14 THE WITNESS: The first phase is, obviously, making the
15 opportunity available to leaders who want to participate. But
16 it's kind of like a startup. We have to hire the partners, we
17 have to then train the partners, we have to make sure we have
18 all the equipment for the partners, and so a lot of that
19 timeline is based on number of partners who apply, availability
20 of suppliers to do the work. So we don't have a, to my
21 knowledge, I don't recall that we have a defined exact timeline
22 for all of the steps, except for wanting to have the majority
23 of the leaders, ideally enrolled before July 4th.

24 HEARING OFFICER CHEREM: And again, leaders here includes
25 the shift supervisors and baristas, or --

1 THE WITNESS: Shift supervisors -- yeah, the Heritage
2 baristas, Heritage supervisors, as well as the salaried
3 leaders.

4 HEARING OFFICER CHEREM: Okay. And after hiring people
5 what, if anything, is the next phase of the Heritage Market
6 implementation?

7 THE WITNESS: We begin training.

8 HEARING OFFICER CHEREM: And -- and then what?

9 THE WITNESS: The first training pods are scheduled for
10 this coming week for the hourly baristas and shift supervisors.
11 And then once we get leaders up and trained, as we increase the
12 population of partners, we'll begin to reopen the other two
13 stores, once their construction work is also completed.

14 HEARING OFFICER CHEREM: How long is the training expected
15 to take per pod, I think you said?

16 THE WITNESS: Yeah. I don't know the exact details,
17 because the team is working out all of the training components
18 together, and so I don't have the exact number of hours for the
19 training program.

20 HEARING OFFICER CHEREM: And what is the next step after
21 training then, and the stores start to reopen?

22 THE WITNESS: The partners will begin to work in all three
23 stores.

24 HEARING OFFICER CHEREM: Is there anything beyond that
25 that's part of the rollout for the Heritage Market?

1 THE WITNESS: We will continue to build that as it comes
2 in. I imagine there will be some components of the testing,
3 and some other things that are added to the Heritage Market,
4 but again, we are in the really early days of this startup, so
5 there's more to come and more to be built, as we move forward
6 in the process.

7 HEARING OFFICER CHEREM: Have there been any delays that
8 have occurred, and -- as you implement these phases?

9 THE WITNESS: There have been some delays in some of the
10 construction work due to supplier availability. And there have
11 been some delays in reopening all three stores, as the
12 population of partners that showed initial interest, was
13 smaller than what we had hoped it would be in the initial first
14 wave.

15 HEARING OFFICER CHEREM: Will the size of any of the
16 facilities be expanded as part of the physical remodels?

17 THE WITNESS: No.

18 HEARING OFFICER CHEREM: What percentage of the rollout
19 would you say is complete at this time?

20 THE WITNESS: I think it's hard to say; I don't know.

21 HEARING OFFICER CHEREM: And then I know you mentioned
22 this briefly before, can you remind me what, if any,
23 installation of new equipment is occurring as part of the
24 proposed change, or at this stage?

25 THE WITNESS: Yes. First and University is receiving new

1 grinders, a manual espresso machine, an ice machine that we are
2 in tests with, so that store will be receiving those pieces of
3 new equipment as part of this Heritage Market.

4 HEARING OFFICER CHEREM: And what does that store
5 currently have at it?

6 THE WITNESS: They have a set of Mastrena 2's, and a
7 standard brewer for brewed coffee, they have standard ovens,
8 and standard refrigeration.

9 HEARING OFFICER CHEREM: And for First and Pike?

10 THE WITNESS: They have standard Mastrena 2's, standard
11 ovens, standard nitro, which is also at First and University,
12 and the standard refrigeration.

13 HEARING OFFICER CHEREM: Okay. And what, if anything new,
14 is going to be installed there for -- in terms of equipment
15 upon cabinetry, which you discussed?

16 THE WITNESS: Yeah. First and Pike has all of the most,
17 latest and greatest equipment in the core store, so we don't
18 expect any additional enhancements to equipment at First and
19 Pike at this time. But we do believe that this will be a place
20 for us future state, to do some of our rapid testing at that
21 store, but nothing planned in the next 60 days.

22 HEARING OFFICER CHEREM: How, if at all, is the product
23 offered changing at any of the three stores?

24 THE WITNESS: Well, two of the three stores currently have
25 differentiated product from core stores as we sit today, and so

1 that will be continued. And then there are plans, future
2 state, no date determined at point, for us to take a look at
3 merchandise for these locations as part of that tourist-driven
4 component of the Heritage Market.

5 HEARING OFFICER CHEREM: Is the third store that doesn't
6 currently have differentiated product also going to have
7 differentiated product as part of the market?

8 THE WITNESS: We haven't decided that yet.

9 HEARING OFFICER CHEREM: And the products that were
10 previously provided at those stores are going to continue to be
11 provided at the market?

12 THE WITNESS: That is correct.

13 HEARING OFFICER CHEREM: Sorry. I'm looking through a
14 checklist here. Ryan, to the extent that we could also get any
15 training documents in this might be in the record from prior
16 hearings, but for the core store barista and shift supervisor
17 positions, in addition to the training overview for the
18 Heritage positions, I think that would be helpful.

19 HEARING OFFICER CHEREM: Do the Heritage Market employees,
20 will they be receiving the same fringe benefits, such as
21 vacation and holidays, as those employees at the -- that were
22 previously employed at those stores when they were core stores?

23 THE WITNESS: Yes.

24 HEARING OFFICER CHEREM: Will the Heritage employees work
25 substantially the same hours as when those stores were core

1 stores?

2 THE WITNESS: They will the opportunity to work more
3 hours, because they will have the flexibility and availability,
4 and quite frankly, the need to be able to work in all three
5 locations. So for leaders who want more hours, they will have
6 the opportunity to actually have more hours in this market. So
7 leaders, meaning the barista and the shift supervisors.

8 HEARING OFFICER CHEREM: Thank you.

9 THE WITNESS: Yes. I'll practice that.

10 HEARING OFFICER CHEREM: It's a tough one. Okay. And
11 again, all of these -- only if you know, do you know if the
12 individuals who were employed at the three stores at the time
13 the petition was filed, so early June, before the
14 implementation of the Heritage Market. At the time of hire
15 were they hired for a specific limited duration?

16 MR. HAMMOND: I -- I just want to clarify.

17 HEARING OFFICER CHEREM: Sorry.

18 MR. HAMMOND: In your question -- I guess I have an
19 objection to the question. I know you're the hearing officer,
20 but --

21 HEARING OFFICER CHEREM: That's fine. No that's fine.

22 MR. HAMMOND: There was a reference to the implementation
23 of the Heritage Market --

24 HEARING OFFICER CHEREM: Oh.

25 MR. HAMMOND: And June 6th being before that --

1 HEARING OFFICER CHEREM: Sorry. Yes, thank you.

2 MR. HAMMOND: Is actually when it happened.

3 HEARING OFFICER CHEREM: Thank you. Okay. Forget June
4 6th. Prior to the implementation of the Heritage Market, for
5 the people who were previously employed at those stores, at the
6 time they were hired, do you know if their employment was set
7 to be of limited duration at the time of hire?

8 THE WITNESS: I don't know. I mean -- I think I -- I
9 don't know that I have clarity to the question that you asked.

10 HEARING OFFICER CHEREM: Fair enough.

11 THE WITNESS: It's -- it's confusing, so I'm going to say
12 I don't know because I don't know that I understand the
13 question.

14 HEARING OFFICER CHEREM: Like were they hired for like a
15 summer job for three months --

16 THE WITNESS: So like a --

17 HEARING OFFICER CHEREM: -- as opposed to just a regular
18 permanent employment position?

19 THE WITNESS: Regular, permanent employment. There were
20 no leaders who were on like a time-limited duration --

21 HEARING OFFICER CHEREM: Yes.

22 THE WITNESS: -- or seasonal hire.

23 HEARING OFFICER CHEREM: Yes. That was my question.

24 Thank you for helping me ask it in a better way. Okay. One
25 second. If you know, before the Heritage Market concept came

1 into being, was there any temporary interchange between these
2 three stores, where borrowed partners would go over for a
3 shift?

4 THE WITNESS: Yes, there was.

5 HEARING OFFICER CHEREM: And do you have any knowledge
6 about the frequency of that?

7 THE WITNESS: I do not.

8 HEARING OFFICER CHEREM: Are you familiar with what, if
9 any, contact employees at those locations would have had with
10 one another before the market -- the Heritage Market came into
11 being?

12 THE WITNESS: I would say some knowledge of partners going
13 in, so baristas and shift supervisors to pick up product, pick
14 up shifts, be customers specific to Pike Place, and First and
15 Pike, since Pike Place does not sell food, and our partners
16 receive a food markout benefit. Partners would frequently go
17 do First and Pike on the Daily to get their free beverage and
18 their food markout. So several started or ended their day at
19 First and Pike.

20 HEARING OFFICER CHEREM: Okay. I may have more questions
21 later, but I will, in the interest in making sure you get out
22 of here, if possible, today, I will turn it over to Petitioner,
23 and then, obviously, Employer, you're -- once again, able to
24 ask questions on -- with respect to my questions, and
25 Petitioner's questions afterwards.

1 MR. IGLITZIN: We need probably ten minutes.

2 HEARING OFFICER CHEREM: Okay. Let's reconvene at like a
3 little after 3:15. Off the record.

4 (Off the record at 3:07 p.m.)

5 THE COURT REPORTER: We are back on the record.

6 HEARING OFFICER CHEREM: Thank you. We're back on the
7 record now for cross-examination.

8 Petitioner, your witness.

9 MS. MULTHAUP: Thank you.

10 **CROSS-EXAMINATION**

11 Q BY MS. MULTHAUP: Hi, Ms. Tovey. Do you prefer Ms. Tovey
12 or Nica; what do you prefer?

13 A You can call me Nica.

14 Q Okay. Nice to meet you. I'm Marina, I'm counsel for
15 Workers United. I just have some questions to ask you. Just
16 to -- been down a little bit of your background to start there.
17 You said that after a long history with Starbucks, in 20 --
18 2018, you were promoted, I think, to a FIM and then a ROC; is
19 that true?

20 A Yes, that's correct.

21 Q Could you tell us briefly what -- what those are?

22 A Yes. FIM stands for field implementation manager, and
23 that role then transitioned titles from FIM to a ROC, regional
24 operations coach. So same job, different title, and that job
25 was in service and support of teaching, coaching, and

1 supporting regional directors as they built market plans,
2 rolled out operational initiatives, and supported the stores in
3 their portfolio.

4 Q Okay. Does that -- does the regional operations coach
5 still exist as a job at Starbucks?

6 A Yes, it does.

7 Q Do you have a ROC as a regional director?

8 A As a regional director, I would not have a ROC. A ROC is
9 assigned to a regional vice president as a support resource.

10 Q Oh, I thought you said the regional operations coach was
11 in support of coaching regional directors; did I hear you
12 wrong?

13 A Nope, that's correct. So regional operations coach works
14 with the RVP and supports RDs in teaching, coaching, and
15 supporting them in their roles in operational initiatives and
16 business today.

17 Q So is there a -- does Jessica Borton have a ROC that
18 helps -- that works with you?

19 A Yes, she does.

20 Q Okay. Who's that person?

21 A Ryan Affinito.

22 HEARING OFFICER CHEREM: Why don't you go ahead and spell
23 that, if you know.

24 THE WITNESS: I might have to look at a piece of paper,
25 but I believe it's A -- his first name is Ryan, spelled just

1 like Mr. Hammond, and Affinito, A-F-F-I-N-I-T-O, I believe is
2 the spelling of his last name.

3 HEARING OFFICER CHEREM: Thank you.

4 Q BY MS. MULTHAUP: Is there a hierarchal difference between
5 a -- a ROC and a regional director; is a ROC higher above than
6 a regional director?

7 A I don't know the exact placement of ROC to regional
8 director, but a ROC supports initiatives that are supported by
9 Starbucks at the US business level.

10 Q So a ROC operates at the national -- the corporate level
11 of Starbucks, and the regional director operates at the
12 regional lev -- level of Starbucks; is that right?

13 A They support the operational components of the role, so
14 they have -- across the US, there are ROCs nationally; that is
15 correct.

16 Q Okay. Why did you transition from a ROC to a regional
17 director?

18 A I wanted the opportunity to run a market versus supporting
19 markets within a region.

20 Q Okay. So you had been supporting regional directors, and
21 now you wanted a chance to become a -- a regional director?

22 A That's correct.

23 Q And I think you testified that as a regional director, you
24 do market planning, site location, things like that, kind of at
25 a high level; is that correct?

1 A Yes.

2 Q Do you often work shoulder-to-shoulder, as Starbucks says,
3 in a store with partners?

4 A Frequently. Many days of my week are spent shoulder-to-
5 shoulder in stores, yes.

6 Q And do you -- so you both do high-level planning and
7 shoulder-to-shoulder, making drinks on the bar?

8 A I do know how to make drinks on the bar, yes. I do not
9 make drinks on the bar frequently for customers, no.

10 Q So when you're working shoulder-to-shoulder in stores,
11 what are you doing?

12 A I'm helping to support district managers, store managers,
13 shift supervisors, and hourly baristas with problems that they
14 may see in a store, or solutions that are new, unique, and
15 creative to move forward the partner, and the customer, and the
16 business. So coaching, observing, supporting.

17 Q When was the last time you made a drink on the bar at
18 Starbucks -- at a Starbucks store?

19 A You should see my flat wipes, pretty darn good. I have
20 made drinks on the bar within the last five days.

21 Q And what would bring you to make a drink on the bar?

22 A Having conversations with partners, understanding what
23 their day-to-day looks like, just being a part of the team.

24 Q Great. You said that when you -- there was a time in --
25 between 2014 and 2015 that there were only two stores in the

1 district, Pike Place Market and First and Pike; is that right?

2 A That's correct.

3 Q And you testified that that was because you were building
4 the roastery and making some change -- and there was a big
5 conference in town; is that right?

6 A Yes, there was a conference. There were some leadership
7 changes that were happening. There was also a long-time leader
8 of the first store, Pike Place, that was transitioning out of
9 their role, and a new leader coming in, so that was to support
10 that leader, as well as a store manager leadership change at
11 First and Pike, and then the support of the roastery opening.

12 Q Why would the store manager's changing mean that a
13 district only had two stores?

14 A The amount of volume, and customers, and partners that are
15 in First and Pike and Pike Place are larger than the average
16 number in a core store. And so with the newness of the
17 leadership, it was to support bringing on, and supporting those
18 new leaders in their new roles, with the complexity of that
19 business.

20 Q Were you the regional director during that period?

21 A No, I was not.

22 Q Were you aware of -- how were you aware of this period of
23 time when there were only two stores in this district?

24 A I was the district manager at the time.

25 Q Oh, okay. So you were the district manager of this

1 district that only had two stores in it from 2014 to 2015; how
2 long were -- were there only two stores in that district?

3 A I don't recall the exact number of months; I'd need to go
4 back and look.

5 Q It was less than a year?

6 A Yes.

7 Q Before there were only two stores in the district, were
8 there more stores that were transitioned out, or was this a new
9 district that was created?

10 A I -- I don't recall what -- if the leader -- if the stores
11 were transferred out, or if we brought in another district
12 manager to assume those stores.

13 Q Okay. Either way, in anticipation of these changes that
14 were going to happen, both in the leadership and with the
15 roastery, a -- a new, two-district store was created; is that
16 right?

17 A Correct.

18 Q Okay. Do you remember how long that process took to
19 create that new district in 2014?

20 A I don't; at the time, I wouldn't have had visibility to
21 that.

22 Q You were a district manager of the two-store district,
23 correct?

24 A Correct.

25 Q Before then, how -- before there were only two stores in

1 your district; what district were you the district manager of?

2 A I was the district manager of 142, but it had a different
3 compilation of stores?

4 Q Approximately how many stores were you overseeing as D142
5 DM?

6 A I don't recall the number.

7 Q More than five --

8 A Yes.

9 Q -- is that right?

10 A Yeah.

11 Q Okay. And then, you were transferred to -- do you
12 remember the name of this two-store district?

13 A I believe we maintained district 142 district number.

14 Q Do you remember how long it took to transition those other
15 stores out of your district?

16 A I don't recall.

17 Q Okay. After the coffee conference was done, and after the
18 roastery was back up, did you add more stores to your district?

19 A Yes, I did.

20 Q How many more stores got added?

21 A I don't recall the exact number of stores, but more than
22 five.

23 Q During your time as a district manager or regional
24 director for Starbucks, have there been other times when
25 districts have less than four stores in them?

1 A Not that I'm aware of.

2 Q So it was that one time in 2014, and now with the Heritage
3 District; is that right?

4 A To my knowledge.

5 Q We talked about immersions at the Heri -- the newly formed
6 Heritage stores; can you remind me, is your testimony that
7 immersions were common at these stores, and they are going to
8 be more common after they become Heritage stores?

9 A So we have had immersions, and what we call field
10 experiences, which is an immersion, for some time. What we
11 have recently learned is that there are more immersions that
12 are planned and taking place than what we had even pre-COVID.
13 So there is more interest in getting into the Heritage stores
14 for an immersion experience, but we've had immersions on and
15 off for several years, formally and informally.

16 Q Do immersions only take place at what you're calling the
17 Heritage stores?

18 A Primarily, yes.

19 Q But they happen at other stores, too?

20 A They do on occasion.

21 Q Like what other stores; do you know?

22 A I'd have to go back and look at where they are taking
23 place, but there are other stores that do, in fact, have
24 immersions with other store managers and other stores in their
25 portfolio. But not at -- but to be very clear, at a very

1 different frequency. So a store might have one in 12 months,
2 and in these stores, they happen several times a week.

3 Q And that's because like, people don't care as much to have
4 an immersion at Olive Way, for example, great store, but
5 doesn't have the historical importance of the first store;
6 is -- is that -- is that right?

7 A Yeah, it's leader dependent on what they're looking for in
8 the experience, but primarily the Heritage three stores are
9 where we see the larger amounts of immersions take place.

10 Q And just to be clear, you're saying that's because of the
11 leaders there or because of the inherent coolness of those
12 three stores?

13 A It's because of what those stores represent. So our --
14 our beginning, our core store operations, and future
15 innovation. So to be really clear, they have a great
16 representation of where we've been, where we are, and where we
17 are going, in a really small, unique geographical footprint
18 that's easy to be accessed -- easily to access from our
19 corporate offices. And they are culturally relevant to
20 partners who work at Starbucks.

21 Q I understand that the branding of the Heritage Market is
22 past, present, future; prior to that, an -- someone would do an
23 immersion -- a -- a -- a -- a -- a -- a -- a visiting corporate exec
24 would do an immersion at one of the three stores in order to
25 learn about its past, present, and future?

1 A One or all. And to be very clear, a Heritage tour was
2 something that you would do, and that's what it was titled as
3 an option far before the Heritage Market.

4 Q Okay. So a Heritage tour has existed pre-Heritage market?

5 A Yes.

6 Q And who did these Heritage tours?

7 A Oh, my gosh, it could range.

8 Q Store managers, baristas?

9 A Yes. So it could be an hourly partner who's new to the
10 company, whose store manager brings them down. It could be a
11 new store manager, new district manager, regional director, new
12 corporate partner, a new partner who's working on beverage
13 innovation, you name it, it was accessible for leaders at all
14 levels.

15 Q So prior to the Heritage Market, baristas and shift
16 supervisors working at the three Heritage stores could do
17 Heritage tours --

18 A No.

19 Q -- and prior -- oh, no?

20 A No. We never ask --

21 Q I thought that's what you just said.

22 A No, you asked who could and who would take tours.

23 Q Okay. Okay, so who did lead Heritage tours before the
24 announcement of the Heritage Market?

25 A The salaried leaders in the locations, First and Pike,



1 First and University, and the first store.

2 Q And other stores that did immersions, right?

3 A Yes.

4 Q Okay.

5 A But again, I want to be clear, that's infrequent.

6 Q Got it, okay. And then, you said that the -- the Coffee
7 Master training, that also pre-Heritage Market was available to
8 everyone; is that right?

9 A The Coffee Master program in years past had been available
10 and had been placed on pause for a bit of time in the last
11 number of years.

12 Q Oh, how long has it been on pause for?

13 A I'd have to look back at the dates. As we shifted from
14 Coffee Master to Coffee Academy.

15 Q So -- so Starbucks is revamping Coffee Master with the --
16 with the Heritage Market?

17 A We will be bringing back Coffee Master with the Heritage
18 Market, yes.

19 Q And will it be a -- a -- will the Coffee Master training
20 be available to everyone, or just people who work in the
21 Heritage Market?

22 A I don't know at this point.

23 Q Okay.

24 A And specifically, our -- our program may look different,
25 based on what the baristas -- again, start out with the



1 baristas and shift supervisors, and salaried leaders decide is
2 most relevant for this particular group of stores.

3 Q So is it your testimony that the people who work at the
4 Heritage Market are going to create the Coffee Master program?

5 A They will have input on what coffee training looks like,
6 and we will also use company resources. I expect it will be a
7 mix.

8 Q So the Coffee Master training program is not yet
9 developed? Sorry.

10 A I have not seen it in its finality.

11 Q Well, that's a different question. Do you know if it's
12 been developed?

13 A I don't know.

14 Q But you testified that one of the differences between
15 being a Heritage barista and a regular barista is that you have
16 to do the Coffee Master training; is that right?

17 A That's correct.

18 Q Okay. TBD, though, in the future?

19 A Yes, and we have resources from the program that we used
20 prior that we have a plan to pull into this Heritage Market in
21 the interim.

22 Q So to be clear, the plan is to revamp the old Coffee
23 Master program now, and then add partner input into it to
24 change it to make it a new Coffee Master program; is that
25 right?

1 A We -- we are working on that as a team, and it will also
2 be taking pieces of the Coffee Academy, 100, 200, and 300, into
3 account as well, as there are overlaps within the two programs.

4 Q But you don't have a plan to roll out the previous Coffee
5 Master program when partners supposedly start next week; is
6 that right?

7 A That's being --

8 MR. HAMMOND: Objection. Asked and answered.

9 MS. MULTHAUP: I don't think it's been asked and answered.

10 MR. HAMMOND: It's been answered multiple times. I think
11 we can move on. I mean, she's explained numerous times how
12 they're using this, and she's just trying to ask the same
13 question over and over again to get a different answer.

14 MS. MULTHAUP: Mr. Hammond, I'm trying to understand what
15 is going to happen on July 4th; is there a Coffee Master
16 program in place that these new partners are going to have to
17 take?

18 MR. HAMMOND: I think it's been answered.

19 MS. MULTHAUP: (Indiscernible - simultaneous speech).

20 HEARING OFFICER CHEREM: Okay, I'm going to allow -- I'm
21 going to allow the witness to answer the question, but then
22 let's try to move on after this.

23 Do you need it repeated?

24 THE WITNESS: Please.

25 HEARING OFFICER CHEREM: Go ahead.

1 Q BY MS. MULTHAUP: Is there a Coffee Master program that is
2 going to be required by all partners, all Heritage partners,
3 starting on July 4th?

4 A We will be using the existing Coffee Master or Coffee
5 Academy 100, 200, and 300, as well as components from the prior
6 Coffee Master training, to leverage to support the training
7 education of the Heritage baristas, Heritage shift supervisors,
8 and Heritage store managers. And then the team will continue
9 to build additional content together to support ongoing
10 training.

11 HEARING OFFICER CHEREM: I'm going to interrupt for a
12 second.

13 Alyson and Ryan, do you have documents about all of these
14 training programs that are going to be utilized starting next
15 week; and if so, can you plan on adding them -- if not, can you
16 plan on adding them to your list of training requirement
17 documents?

18 MR. HAMMOND: Yeah, you had asked previously for
19 information about Coffee Master, the program, and we're
20 planning to provide that through a different witness.

21 HEARING OFFICER CHEREM: Sure, but then additionally, she
22 mentioned some other programs as well that are going to be
23 implemented; the 100, 200, and 300, and I forgot which coffee
24 thing goes in front of that.

25 THE WITNESS: Coffee Academy.

1 MR. HAMMOND: Coffee Academy.

2 HEARING OFFICER CHEREM: Coffee Academy 100, 200, and 300,
3 there you go.

4 MR. HAMMOND: Yes.

5 HEARING OFFICER CHEREM: Thank you. All right, great.

6 Q BY MS. MULTHAUP: So continuing on, I would like to look
7 at Employer Exhibit 1 again, if I could -- and I'll just bring
8 it up on my screen, if that's okay. Do you see that?

9 A Yes.

10 Q Make that -- okay, thanks so much. Okay, so on voir dire
11 and in direct exam, you testified that -- well, is it your
12 testimony that a impetus or the impetus for creating the
13 Heritage Market was based on partner feedback that you received
14 during these meetings with the partners at Pike Place Market?

15 A Yes.

16 Q Excellent, okay. So we have this --

17 A And --

18 Q -- inherent --

19 A -- we also have --

20 Q Sorry.

21 A Oh, go ahead.

22 Q No, please go. Oh, okay. So on this meeting on April
23 18th, when these things on the screen were suggested by
24 partners or things that might have even empowered new partners
25 and suggestions, do you remember, were all the partners at Pike

1 Place Market present?

2 A I don't recall, but a majority of the partners did attend
3 the meetings.

4 Q Okay.

5 A But I don't recall who was absent.

6 Q Just got to stop showing because -- great. Do you
7 remember how the meeting was communicated to partners?

8 A I believe it was on their schedule, so it was scheduled as
9 part of their scheduled shifts, and also notified by their
10 store manager, and at the time, assistant store manager.

11 Q Was -- was this a mandatory meeting?

12 A No.

13 Q It was an optional scheduled meeting?

14 A It was an optional scheduled meeting for the reason that
15 some partners may have had conflicts, or may have availability,
16 that were not able to attend. So we didn't want people to feel
17 like they needed to miss school or arrange childcare if they
18 weren't able to attend. But we encouraged all partners to
19 join.

20 Q Was it during, like, store hours?

21 A It was. We closed the store early to be able to support
22 the meeting.

23 Q Do you remember, like, how long the meeting was,
24 approximately?

25 A I don't recall. I could look at my calendar, but I don't

1 recall.

2 Q Were you present at -- at -- at this meeting?

3 A Yes, I was.

4 Q Who else, other than the partners at Pike Place, was
5 present during this meeting?

6 A My partner relations partner, Rob Lawrence, was also --
7 attended the meeting.

8 Q Anyone else from Starbucks HQ or Starbucks corporate?

9 A Yes. During the second meeting, Howard Schultz also made
10 a visit to the store.

11 Q That was --

12 HEARING OFFICER CHEREM: And the second meeting, is that
13 the April 25th?

14 THE WITNESS: Yes, ma'am.

15 Q BY MS. MULTHAUP: During the April 25th meeting, how was
16 that meeting communicated to partners?

17 A The same as the first meeting. I was put on partner
18 schedules and then store manager and assistant store manager
19 also communicated to the shift supervisors and baristas. We
20 also let them know at the commencement of the first meeting
21 that we would be meeting again, and would they be interested,
22 and want to meet again, so that the partners were very excited
23 to meet, and finish up, and have more discussion based off of
24 the first meeting.

25 Q The second meeting, was that also -- was that a mandatory



1 or a voluntary meeting?

2 A Yeah, it was voluntary. We were not going to force
3 partners to attend these meetings. It was optional. Again,
4 back to what I shared earlier, there are schedule requests and
5 partners might have school that might have been scheduled
6 outside of partners' availability. That's also why we provided
7 copies of the notes that were taken at each -- for each
8 meeting.

9 Q The second meeting on April 25th, 2022, it was you, Rob
10 Lawrence, and Howard Schultz were the -- the -- those were the
11 three Starbucks people?

12 A I believe so; I don't believe there were any other leaders
13 outside of the store team present.

14 Q Okay. At the first meeting on April 18th, 2022, was there
15 any discussion of the union at the meeting?

16 A Any discussion of the union at the meeting?

17 Q Um-hum.

18 A A partner put a -- posted, I believe, one of them about
19 wanting to know potentially more information. I don't recall
20 exactly, but the union conversation was not the topic of
21 conversation that we were there to discuss.

22 Q It wasn't a -- a preplanned topic, maybe a partner wrote a
23 note about it, but it wasn't discussed at the first meeting; is
24 that -- is that correct?

25 A Not to my recollection, no.



1 Q At the second meeting, was the union discussed?

2 A Yes. Partners had questions for Mr. Schultz about some of
3 the union activity, but it was not a topic of discussion for
4 the meeting. It came up in questions and conversation with Mr.
5 Schultz.

6 Q And what did Mr. Schultz say about the union at the second
7 meeting?

8 A I'd have to go back. I don't recall; I did not take notes
9 during that meeting, but he answered the questions that the
10 partners had posed to him.

11 Q What questions did the partners pose to him about the
12 union at the second meeting?

13 A I don't -- I don't recall the exact questions that were
14 asked.

15 Q Well, you were responsible for communicating what happened
16 at these meetings to your coordinator in order to make these
17 slides, correct?

18 A Correct.

19 MR. HAMMOND: I'm going to object to relevance to this
20 questioning. I don't see how it relates to the issues that are
21 before the Hearing Officer.

22 HEARING OFFICER CHEREM: Petitioner?

23 MS. MULTHAUP: Well, the Employer is saying that the
24 entire concept and conceit of these Heritage stars was created
25 based on what was said at these two meetings, and now we learn

1 that the CEO of the corporation talked about the union at this
2 meeting. I think it's incredibly relevant to the decision on
3 the creation of the Heritage District, which is the entire
4 point of this hearing.

5 MR. HAMMOND: I don't think that's what the testimony is
6 that's been provided. The testimony that was provided, that
7 during this meeting, they had a different agenda, different
8 topic. There were questions posed by partners that the CEO
9 responded to, but we don't know the nature and specificity of
10 those questions based on the testimony provided.

11 And -- and in this particular instance, the question to be
12 decided is, what was implemented; it's not a question about
13 what was discussed about unions and union activity. That's
14 not -- that may be relevant to potentially other unfair labor
15 practice charges and may be or may not be before the Board at
16 this time, but that's not the subject of this particular
17 hearing, and I worry that we're going down a path that is going
18 to derail the purpose of this hearing.

19 MS. MULTHAUP: Well, if -- if it's Ms. Tovey's testimony
20 that she has no recollection about what Mr. Schultz said or
21 what the partners asked about the unions, you know, there's
22 nothing more to say about that. I just think it is relevant
23 for the record that Mr. Schultz appeared at the second meeting,
24 and that discussion of the union was -- and the union was
25 discussed.

1 THE WITNESS: So --

2 HEARING OFFICER CHEREM: So wait -- pause, wait one
3 second. There's a -- an objection pending before me.

4 Petitioner, it sounds like you're withdrawing your
5 question? What was the question that was objected to?

6 MS. MULTHAUP: The -- the -- the -- the question was,
7 weren't you responsible for you know, taking the notes --

8 HEARING OFFICER CHEREM: Yes.

9 MS. MULTHAUP: -- and relaying them?

10 HEARING OFFICER CHEREM: So the question is -- I will
11 allow you to answer the question on were you responsible for
12 taking the notes for the meeting, but if we go beyond that, and
13 there's a renewed objection, I'm going to go off the record to
14 determine whether we can proceed beyond that particular
15 question of were you responsible for taking notes at the
16 meeting.

17 THE COURT REPORTER: Sorry, I -- can -- can -- could the
18 court reporter read back the question I asked? I think it was
19 a little bit different than that.

20 HEARING OFFICER CHEREM: Sure.

21 THE COURT REPORTER: Question: Well, you were responsible
22 for communicating what happened to your coordinator in order to
23 make these slides, correct?

24 HEARING OFFICER CHEREM: Okay, so the -- the question is,
25 you were responsible for -- I'm sorry, Marina, maybe you heard

1 it better than I did. Go ahead.

2 Q BY MS. MULTHAUP: You were responsible for communicating
3 the -- what the partners said at this meeting -- these meetings
4 to your coordinator to make these slides that is ER Exhibit 1,
5 correct?

6 A To be clear --

7 Q Yes.

8 A -- what I was responsible for was the gathering of the
9 partner feedback through the sessions that they asked questions
10 about. I was not responsible for sharing back questions or
11 responses that Mr. Schultz gave with partners in the coffee
12 tasting at the start of the second meeting. I was not
13 responsible for that.

14 Q Okay, so I'm going to --

15 HEARING OFFICER CHEREM: Okay so I have a question; are we
16 moving on or are we still on this track?

17 MS. MULTHAUP: I'm -- I'm -- I'm going to -- I'm going to
18 poke a little bit and (indiscernible - simultaneous speech).

19 HEARING OFFICER CHEREM: Okay, sure. I'm just letting you
20 know if -- pause before you answer any questions; I'm assuming
21 there's going to be an objection, and that we'll go off the
22 record.

23 But go ahead, Marina.

24 Q BY MS. MULTHAUP: I guess my next question would be about
25 Employer Exhibit 1. So it's -- it's your testimony that this

1 is not a complete record of what happened at these two --
2 two -- two meetings; is -- is that correct?

3 A There were other things that did occur at the meeting,
4 such as coffee tasting, partner introductions, partners shared
5 their stories, partners shared their tenure. There was an
6 icebreaker. There was also pizza. There were snacks. So yes,
7 there were other things that did occur at these meetings that
8 are not in the summary of the notes that you have in your
9 exhibit.

10 Q And two of those things that happened were that Howard
11 Schultz came and answered questions about the Union, but you do
12 not remember what happened and have no notes about it; is that
13 correct?

14 A So to be clear, Howard Schultz was asked a question that
15 he responded to that did involve a specific around the Union.
16 I don't remember what the question was. But that was not what
17 he was there to talk about.

18 Q Understood. But I'm sorry, now, are you saying there was
19 just one question about the Union?

20 A I don't recall. I -- I -- (indiscernible, simultaneous
21 speech)

22 Q You don't remember what questions were asked, what he
23 answered, and there's no notes about it; is that correct?

24 MR. HAMMOND: I'm going to renew my objection and ask that
25 we move on at this point.

1 HEARING OFFICER CHEREM: Yeah. I was going to say, I feel
2 like we've -- we've -- let's move on at this point. I am going
3 to -- she has answered on the que -- on the objection -- that's
4 been answered. I believe that she has answered that question
5 about she did not take notes and what she was responsible for
6 taking notes on. So I'm going to sustain that particular
7 objection to the extent that I believe that she had previously
8 testified to those answers.

9 MS. MULTHAUP: Okay. So -- sorry. Just so the record is
10 clear. She does not remember what was talked about and there
11 are no notes.

12 MR. HAMMOND: I'm going to renew my objection. She's --

13 MS. MULTHAUP: I'm just literally trying to make sure the
14 record is clear on that.

15 MR. HAMMOND: I think the record is clear. I think that's
16 the issue.

17 MS. MULTHAUP: Excellent. Thank you.

18 Q BY MS. MULTHAUP: Okay. So this April 18th was -- meeting
19 was the first time that you asked -- or that Starbucks asked
20 partners at First and Pike, you know, how they feel about what
21 Starbucks can be doing -- doing better, what makes them proud
22 to be a partner, et cetera, right? There was no previous
23 meeting before April 18th?

24 A Yeah. I want to be clear about something that you just
25 shared. You shared that the April 18th meeting was with First

1 and Pike partners. That is incorrect.

2 Q Oh, I'm sorry.

3 A The April 18th meeting was with Pike Place partners, and
4 there was one meeting prior that we had with the shift
5 supervisor team prior to the April 18th meeting. We wanted to
6 meet with shift supervisors first and feel -- share first their
7 leader change, and also understand what was on their minds
8 before we met with hourly partners and the shift supervisors
9 and the assistant managers, and the salaried store managers.

10 Q So -- I'm sorry if you testified to this before -- when
11 was the first shift supervisor meetings with park -- Pike Place
12 partners?

13 A It was the -- I believe the Wednesday prior to the 18th,
14 but I'd have to look at my calendar to be exact.

15 Q So a couple of days before?

16 A We wanted their input on what some of the questions could
17 be that we would ask the partners on that first 8 -- 4/18
18 meeting.

19 Q Okay.

20 HEARING OFFICER CHEREM: So for the record, I will take
21 administrative note of the fact that the Wednesday before
22 Monday, April 18th was Wednesday, April 13th, 2022.

23 MS. MULTHAUP: Excellent.

24 Q BY MS. MULTHAUP: So I -- I -- I think one of my questions
25 prior -- and I don't mean to make you repeat things -- was

1 something like, is it, you know, you testified that the impetus
2 for this Heritage market district came from these meetings
3 at -- at Pike Place and -- and those start with the April 13th
4 shift supervisor meetings; is that correct?

5 A Correct.

6 Q And then I think you testified that the decision to
7 implement the Heritage district was made on May 6th, 2022; is
8 that correct?

9 A Yes.

10 Q So between April 13th, 2022, and May 6th, 2022, the
11 decision to create a district was conceived and birthed and
12 implemented; is that your testimony?

13 A We have yet to fully implement.

14 Q Well, to the extent that it has been announced and that
15 people have been hired and transferred -- it has -- it is
16 happening, correct?

17 A We have started the startup process of the Heritage
18 market.

19 Q Okay.

20 HEARING OFFICER CHEREM: I'm going to rephrase -- I'm
21 going to ask a question I -- to what I think clarify what
22 you're getting at. From the time of the April 13th meeting is
23 when this started and then it was announced on May 6th?

24 THE WITNESS: Correct.

25 HEARING OFFICER CHEREM: Was that what you were getting

1 at?

2 Q BY MS. MULTHAUP: It was announced at least internally
3 on -- on -- on May 6th; is that right?

4 A Internally, May 6th, correct.

5 Q Excellent. So I just want to understand more about, like,
6 that process. Were you involved in the process to create a
7 Heritage district?

8 A To what extent?

9 Q Were there conversations about whether or not to create a
10 Heritage district that you were a part of?

11 A Yes.

12 Q And who was in those conversations with you?

13 A My regional vice president, partner relations, and several
14 business partners.

15 Q When you say, "partner relations", who do you mean?

16 A Like our HR, partner relations.

17 Q And when you say business -- (indiscernible, simultaneous
18 speech)

19 Q -- partners, who do you mean?

20 A We asked our facilities team about construction to these
21 stores to support the training, the modifications that we're
22 going to be made to the store as well.

23 Q Were there any -- was there anyone above Jessica Borton
24 that was a part of these conversations?

25 A I don't recall when.



- 1 Q You don't recall "when", or you don't recall "if"?
- 2 A I'm sure they were brought in.
- 3 Q How -- how are you sure they were brought in?
- 4 A Well, it wasn't just Jessica's decision to make.
- 5 Q Well, whose decision was it?
- 6 A I don't know who the ultimate decision-maker was.
- 7 Q How do you know that it wasn't Jessica's to make?
- 8 A I don't know that it wasn't Jessica's to make.
- 9 Q I -- I -- I think you just said that it wasn't Jessica's
10 decision to make.
- 11 MR. HAMMOND: Objection. She's clarified her testimony.
- 12 HEARING OFFICER CHEREM: The record will speak for itself.
- 13 Q BY MS. MULTHAUP: So how many conversations were you a
14 part of about whether or not to form this Heritage district?
- 15 A I don't recall.
- 16 Q More than five?
- 17 A I don't recall.
- 18 Q More than ten?
- 19 A I don't recall.
- 20 Q Was there one?
- 21 A More than one.
- 22 Q Can you tell -- do you remember anything else about how
23 many discussions you were a part of about whether to make this
24 newly formed Heritage district?
- 25 A No.

1 Q Let's see. Is there a calendar we could look at to see
2 how -- how many conversations you were a part of?

3 A I'd have to go back and look.

4 Q Were you -- were they calendared conversations? Were
5 they -- did they take place on Zoom? How -- how did you have
6 these conversations?

7 A I had some conversations with my partner relations --
8 partner resources partner, Rob, about some of the FAQs, some of
9 the documents. Jessica and I met to build the documents to
10 introduce the Heritage market. Those were sometimes done over
11 the phone. They were sometimes done over Teams.

12 HEARING OFFICER CHEREM: How about going back to bef --
13 that -- those examples sound like it would've occurred after
14 the decision was made to have the Heritage market. Can you
15 think of any examples from before the decision was made? So
16 sometime, I guess, between April 13th and whenever that
17 decision occurred -- that you may or may not have been a part
18 of?

19 THE WITNESS: I had some conversations sharing with
20 Jessica some of the asks from the partners from the first store
21 on what could be possible in terms of creating something like
22 the Heritage market, a smaller group of stores.

23 Q BY MS. MULTHAUP: Did you ever talk to Howard Schultz
24 about this idea?

25 A Not until after the decision was made.

1 Q What was that conversation?

2 A He was curious --

3 MR. HAMMOND: Objection. Relevance. The decision had
4 been made.

5 MS. MULTHAUP: Well, I think it's -- to the -- the
6 witness's own testimony, the implementation hasn't been rolled
7 out. A lot of decisions have -- haven't been made about it. I
8 think it's clearly relevant to what the Heritage district will
9 be.

10 MR. HAMMOND: I --I think this is another example of where
11 we're using the hearing for a purpose different from its
12 intended design. It's -- it's -- there's no indication -- and
13 there was no testimony on direct -- that Mr. Schultz was
14 involved in the implementation of this particular district.
15 And I feel like there's an ulterior motive with respect to the
16 questions, and I -- and I don't see the relevance to them. And
17 I stand by my objection.

18 HEARING OFFICER CHEREM: Petitioner?

19 MS. MULTHAUP: I am inquiring on cross-exam about how the
20 Heritage district was conceived and implemented. And now we
21 hear that the CEO of the company had input, which seems
22 relevant.

23 HEARING OFFICER CHEREM: I'm -- oh, go ahead, Employer.
24 Sorry.

25 THE WITNESS: Yeah. I want to be really clear. He did



1 not --

2 HEARING OFFICER CHEREM: Wait, wait, wait. Stop. Stop.
3 Sorry. Yeah. I haven't ruled on that yet. Employer was --
4 counsel was about to talk. And then I will make a ruling.

5 MR. HAMMOND: Well, I would just think -- I think the
6 response from counsel is inaccurate about the input was a
7 suggestion, and that's not the testimony of record thus far.
8 And so I think -- I'm just renewing my objection.

9 HEARING OFFICER CHEREM: Okay. So I am going to overrule
10 the objection, but I would like to direct the testimony not as
11 to why, but again, as to what, if any, input the CEO was having
12 in future layout or future rolling out of how it was going to
13 be. Because I agree with Petitioner's counsel that there is --
14 the -- the record, I think, reveals some uncertainty how the
15 rollout is going to be occurring. And so to the extent that
16 there may be some guidance provided by the CEO on what that
17 rollout might be, that could be relevant. But again, we're not
18 going into the "why". We're going into the "what" and "how"
19 this is going to play out, because this is, as we said, not the
20 forum for -- there's a separate forum for ULP proceedings to
21 the extent any evidence might be related to that. You can
22 proceed.

23 Q BY MS. MULTHAUP: So --

24 HEARING OFFICER CHEREM: Can you -- you ask your question
25 again?

1 MS. MULTHAUP: Yeah. Could the court reporter repeat what
2 the question was? I think it was what -- I don't know, what
3 did Howard Schultz say about the implementation of the Heritage
4 market?

5 THE COURT REPORTER: I'm sorry. I was on mute.

6 HEARING OFFICER CHEREM: Okay.

7 THE COURT REPORTER: I'm sorry. I'm sorry. I was on
8 mute.

9 HEARING OFFICER CHEREM: Yes, you were. We did not --

10 THE COURT REPORTER: The question was --

11 HEARING OFFICER CHEREM: -- hear what you said.

12 THE COURT REPORTER: I'm sorry. Question: Did you ever
13 talk to Howard Schu -- Schultz about this idea?

14 MR. HAMMOND: And -- and --

15 THE COURT REPORTER: Answer: Not until after the decision
16 was made. Question: What was that conversation? And then
17 there was an objection.

18 HEARING OFFICER CHEREM: Okay.

19 MR. HAMMOND: And -- and if understand the ruling
20 correctly, to the extent that she discussed with him about
21 related to implementation and not process of implementation,
22 then it's appropriate for her to respond. But if there is any
23 part of that conversation that relates to the -- the "why" that
24 would not be responsive and you would be sustaining the
25 objection.

1 HEARING OFFICER CHEREM: Correct.

2 Q BY MS. MULTHAUP: So what did you talk to Howard Schultz
3 about -- about the -- the Heritage district?

4 MR. HAMMOND: And Nica, do you understand the -- the
5 instruction that when you're testifying about this conversation
6 to the extent that the conversation relates to the Heritage
7 mar -- market implementation and any ideas related to the
8 market? You can provide that testimony, but to the extent that
9 there was any conversation related to the "why" for
10 implementing the Heritage market, that would not be re -- you
11 should not share that information.

12 THE WITNESS: Yes.

13 MR. HAMMOND: Can you go ahead and ask the question with
14 that understanding for Ms. Tovey?

15 A So the conversation had happened after the decision had
16 been made to move forward with the Heritage district. He had
17 questions about who -- what the store managers were going to
18 be? Who they were going to be, and just general curiosities
19 about the approach.

20 Q BY MS. MULTHAUP: What was all those other curiosities
21 about the approach?

22 A He wanted to know if we were going to get better retail.
23 That was one of the questions. He wanted to know who was going
24 to -- were we going to make the roles, opportunities available
25 for all partners, which, of course, we were. Just general, how

1 did we feel about the decision.

2 Q He asked you how you felt about the -- the decision?

3 A Yes.

4 Q And when was this conversation?

5 A I don't recall the date. I'd have to look at my calendar.

6 HEARING OFFICER CHEREM: When in relation to the internal
7 announcement?

8 THE WITNESS: It was after. By I don't know how many
9 days, but it was -- it was after.

10 HEARING OFFICER CHEREM: And so a number of days, not a
11 number of weeks, you would estimate?

12 THE WITNESS: Yes. This whole process has been number of
13 weeks.

14 HEARING OFFICER CHEREM: Okay.

15 Q BY MS. MULTHAUP: Was it before you told partners? And by
16 partners --

17 A No.

18 Q -- I mean --

19 A I don't -- I don't believe it was, but I'd have to look at
20 the dates again.

21 MS. MULTHAUP: Would it be possible to get those dates? I
22 think that's relevant.

23 HEARING OFFICER CHEREM: Is there any subpoena request for
24 calendar items or other things like that?

25 MS. MULTHAUP: I think there's -- I think there's a

1 request for communications about the -- the -- the Heritage --
2 the plan -- and this would clearly fall under that category. I
3 guess we can talk about that later.

4 HEARING OFFICER CHEREM: We'll talk about that when we get
5 to the subpoena production issues. And again to the extent, we
6 may need to recall witnesses, we'll be open to doing that.

7 MS. MULTHAUP: Okay.

8 Q BY MS. MULTHAUP: I'm sorry, I'm genuinely just curious.
9 What does he mean -- what did Mr. Schultz mean "will we get
10 more retail"?

11 MR. HAMMOND: Objection. I think that calls for
12 speculation.

13 Q BY MS. MULTHAUP: Do you know what he meant?

14 HEARING OFFICER CHEREM: Yeah. Let's ask it as: "do you
15 know what he meant"? Is this some common term used in your
16 office, for example?

17 A Retail refers to the mugs, tumblers, stickers, postcards,
18 T-shirts, those types of things that are sold in our stores.

19 Q BY MS. MULTHAUP: So what was his -- did he -- do you
20 understand what he meant by that question?

21 A He'd like a more assortment of retail, I -- I'm guessing.
22 So I don't know for a clear fact.

23 Q Is there a plan to create Heritage district-specific
24 merch?

25 A We have an existing platform of exclusive merchandise at

1 both First and Pike and Pike Place already. And we re --
2 frequently review the relative nature of SKUs and what
3 customers and partners are excited about and buying.

4 HEARING OFFICER CHEREM: For the reader of the record, the
5 question included the word "merch". Did that mean merchandise?

6 THE WITNESS: Yes, ma'am.

7 HEARING OFFICER CHEREM: Okay.

8 Q BY MS. MULTHAUP: Okay. So did Mr. Schultz have any other
9 input into the Heritage district plan?

10 A Not to my knowledge.

11 Q Who else was on this call?

12 A It was not a call.

13 Q What was it?

14 A It was an informal meeting.

15 Q What was the platform of the meeting?

16 A We were in the office, and it was myself and Cora Carter,
17 who was at the time the store manager of store 301.

18 Q An in-person meeting. Sorry. I was -- not used to this.
19 Okay. It was an in-person meeting between you, Cora Carter,
20 and Howard Schultz; is that correct?

21 A Yes.

22 HEARING OFFICER CHEREM: I'm sorry. Which store is store
23 301?

24 THE WITNESS: Pike Place.

25 HEARING OFFICER CHEREM: Thank you.

1 Q BY MS. MULTHAUP: And Ms. Carter is now the district
2 manager of the Heritage district; is that correct?

3 A Correct.

4 Q Had she already been promoted to that position at the time
5 of this meeting; do you remember?

6 A I'd have to look at the dates, but I do believe that she
7 had submitted her application for the competitive process, but
8 I'd have to look at the dates.

9 Q Was there anyone else at this meeting?

10 A No.

11 Q Was that the only meeting you had with Mr. Schultz
12 regarding the Heritage district?

13 A Yes.

14 Q Okay. I think I still have a question about when this
15 decision got made to create a Heritage district. I know it got
16 communicated on May 6th, but when was the decision made?

17 A To my knowledge, the decision was made on the 6th to
18 proceed forward.

19 Q And -- and to your -- okay. And the -- you were privy to
20 conversations before May 6, not about the implementation about
21 the Heritage market, but about whether or not to create it,
22 correct?

23 A My role --

24 Q Uh-huh.

25 A -- was to share information about what partners wanted and

1 what were opportunities for us to build this market in a way
2 that would support the needs and requests of the partners in
3 these stores and the customer experience.

4 Q Yeah. Who decided to offer a five-percent raise with the
5 creation of the Heritage district?

6 A I don't know who the -- was the ultimate decision-maker in
7 that decision.

8 Q Were you involved in that decision?

9 A I was not involved in making that decision.

10 Q Who decided that in the Heritage district partners would
11 work at multiple stores?

12 A We talked about that -- myself and Jessica -- because some
13 of the stores had busier times of day than others, partners
14 wanted more in additional hours, and it seemed like a really
15 great way for partners to have both of those needs met in
16 addition to what they were asking for for the Heritage market.
17 And if we can go back one, in my role, I don't set pay for
18 partners in the regard to that. So that was not something that
19 I was involved with.

20 Q Who generally does set pay for partners?

21 A It's in partnership with our partner relations team and
22 other leaders at Starbucks. It's not regional director who
23 sets pay.

24 Q Is it above regional director who sets pay?

25 A It's not me, so I don't know who sets pay, but it's not

1 me.

2 Q You have no idea who would have had to sign off on the
3 decision to increase pay for these partners?

4 A No, I do not.

5 Q The decision to have partners work at multiple stores, not
6 just the one store, was that decided on May 6th when you
7 announced it?

8 A It was decided, I believe, before May 6th. That was one
9 of the benefits of this market, was to be able to have partners
10 that could work in all three locations to support the flex in
11 business.

12 Q Were you a part of the initial conversations with hourly
13 workers when you rolled out this plan?

14 A Yes, I was.

15 Q So I think it was your testimony that -- or -- I won't ask
16 that. How was the -- this Heritage district plan communicated
17 to, let's say, the partners at Pike Place?

18 A So each partner sat down with myself, district manager,
19 store manager, some configuration of that group. And it was a
20 one-on-one personal conversation so that they had an
21 opportunity and space to ask questions, share their thoughts,
22 and apply in the moment should they want to.

23 Q And you were a part of all those conversations?

24 A Not every single conversation, no, but a majority of them.

25 Q Do you remember when those happened?



1 A They happened, I believe, on the 23rd -- it was Monday.
2 I'd have to look at a calendar but in May.

3 HEARING OFFICER CHEREM: Monday -- Monday was May 23rd.

4 A Yes. So Monday, Tuesday, and I think a few lingered into
5 Wednesday.

6 Q BY MS. MULTHAUP: Monday, the 23rd, Tuesday, the 24th, and
7 Wednesday, the 25th, you sat down with -- all of the Pike Place
8 partners were sat down and told, and you were a part of most of
9 those conversations; is that right?

10 A I was a part of many of those conversations, as well as
11 conversations about First and Pike and conversations at First
12 and U.

13 Q Were the First and Pike conversations and the First and U
14 conversations also May 23rd, 24th, and 25th?

15 A Yes.

16 Q Okay. In that first round of conversations, were partners
17 told that they would work at all three stores?

18 A Yes.

19 Q Was there a second round of conversations?

20 A We pulsed back in. We did not sit partners back down.
21 But we asked if partners had questions or had additional
22 thoughts that -- that came up. And we also checked in to be
23 sure that if they hadn't applied, was there anything that we
24 could learn to help them apply? Or to get accesses -- access
25 to resources to apply.

1 HEARING OFFICER CHEREM: I'm sorry. I believe you used
2 the expression "pulsed back in"; is that what you said?

3 THE WITNESS: You mean -- yes. We checked back in with
4 them.

5 HEARING OFFICER CHEREM: Okay.

6 THE WITNESS: We came back around for a second
7 conversation.

8 HEARING OFFICER CHEREM: Okay.

9 THE WITNESS: It's like a check-in.

10 HEARING OFFICER CHEREM: Thank you. I was not familiar
11 with that phrase.

12 Q BY MS. MULTHAUP: Were partners told during the first
13 conversations to not talk about this plan to anyone else?

14 A Partners were not told to not talk about this plan, but
15 what we did ask partners -- we could not, obviously, force
16 partners -- but we did ask that to give us some grace to be
17 able to get to each partner so they weren't learning from a
18 colleague about the changes, but could hear firsthand, and we
19 could provide partner care, partner connection, from their
20 leader, about these changes, so that it wasn't just, you know,
21 conversations that were happening in passing. But we did not
22 instruct people to not speak about it.

23 Q But you asked them to not talk with their colleagues about
24 it?

25 A Until we could get to each partner to do the personal

1 inform.

2 Q Was there a -- why -- sorry. Why did you tell each
3 partner individually about this plan instead of, for example,
4 having another store meeting?

5 A Yes. Partner positions are personal. And we wouldn't
6 want to put partners in a spo -- in a position where there's
7 mass broadcast of a major change, which is very in line with
8 how we communicate individual changes or individual occurrences
9 at Starbucks as a whole. So we followed suit with individual
10 conversations, just as we would with other things that might
11 impact a partner's role or a partner's pay or a partner's
12 performance or a partner's development. Those are one-on-one
13 conversations. Those are not conversations for a group --
14 group setting. We also wanted to provide the safety if
15 partners had questions that they might not ask in a large group
16 setting.

17 Q Yeah. You mentioned that the feedback from partners was
18 overwhelmingly positive; is that fair?

19 A Yes.

20 Q Are you aware that the workers at First and Pike went on
21 strike over this decision?

22 A I'm aware.

23 Q Suffice to say that some of the partners were not happy
24 about this?

25 MR. HAMMOND: Objection. Argumentative.

1 MS. MULTHAUP: What part? The last part?

2 MR. HAMMOND: The entire question is argumentative.

3 HEARING OFFICER CHEREM: I'll sustain it. I think the
4 question and answer speaks for itself.

5 MS. MULTHAUP: Thanks.

6 THE WITNESS: Can I also add one thing?

7 HEARING OFFICER CHEREM: Are you clarifying the prior
8 answer?

9 THE WITNESS: So in the question she asked "Am I aware
10 that the First and Pike partners went on strike over this", and
11 to my knowledge it was a very small handful of partners that
12 elected to strike over this.

13 MS. MULTHAUP: Thank you.

14 HEARING OFFICER CHEREM: Okay. You may continue.

15 Q BY MS. MULTHAUP: How long from the time that you set
16 partners down -- 23rd, 24th, 25th -- did -- did they have to
17 apply to these Heritage store positions?

18 A Yes. All positions at Starbucks are open for ten days.
19 So they had ten days to apply.

20 Q Ten days to apply. Why such a short period of time?

21 A That's our standard process for job postings. And I would
22 also like to just remind us that the application is still open
23 and has remained open.

24 Q So I'm confused. Why -- did they have ten days to apply?
25 Or is the application process still open?

1 A Both. They had ten days to --

2 Q I --

3 A They had ten days to apply before the first round of
4 interviews began. And the position is still currently open.

5 HEARING OFFICER CHEREM: Can I -- I'm going to ask a
6 clarifying question. So if I was at one of those one-on-one
7 interviews, then I had ten days -- did I have ten days from
8 that moment I was told about it to apply? Or when did that
9 ten-day clock start to run?

10 THE WITNESS: The ten-day clock started to run, I believe,
11 on 5/23 when the positions were posted, so that as partners
12 were informed, they could sign up right away to opt in for the
13 Heritage market.

14 HEARING OFFICER CHEREM: So if I was informed on May 23rd
15 and then there was ten days, now, could I -- if I didn't apply
16 before, but changed my mind and want to apply now and there's
17 still an -- and there's, like, a new open position, could I
18 still do that?

19 THE WITNESS: Yes, you could.

20 HEARING OFFICER CHEREM: Okay.

21 Q BY MS. MULTHAUP: So --

22 MS. MULTHAUP: Oh, I'm sorry.

23 HEARING OFFICER CHEREM: Go ahead. No, no, I --

24 MR. HAMMOND: I --

25 HEARING OFFICER CHEREM: Yes. Go ahead.

1 Q BY MS. MULTHAUP: So if a worker at First and Pike, say,
2 did not apply in the ten-day window, were -- were they
3 transferred to another store?

4 A They were not transferred to the new store until they
5 were -- until we had done the inform for the leaders who were
6 hired and the inform for the leaders who were not selected.

7 HEARING OFFICER CHEREM: What's the "inform"?

8 THE WITNESS: The inform, I believe, I'd have to look at a
9 calendar, was the day after Juneteenth, that Tuesday.

10 HEARING OFFICER CHEREM: Oh, what does that mean, when you
11 say "we did the inform"?

12 THE WITNESS: Oh. So the partners who were selected for
13 the Heritage market were given their offers for those
14 positions. And the partners who were not selected were given
15 their declines.

16 HEARING OFFICER CHEREM: So you were informing employees
17 of the Employer's decision?

18 THE WITNESS: Correct.

19 HEARING OFFICER CHEREM: Okay.

20 Q BY MS. MULTHAUP: So the partners, for example, at First
21 and Pike, who did not apply for the Heritage store positions in
22 those ten days, were told they did -- they no longer worked at
23 First and Pike, correct?

24 A They were told that they no longer needed to report to
25 work at First and Pike, and that their preference store that

1 they had opted into when they elected not to apply for the
2 position -- they re -- they received one of those three
3 locations of their choice for their next day of employment
4 after the two days that they were paid if they had shifts. But
5 yes, they did not return to First and Pike. Nor did they
6 return to First and University, nor did they return to Pike
7 Place.

8 Q Did anyone not indicate a preference of where they would
9 want to go if they didn't apply to the Heritage dis --
10 district?

11 A I'd have to look back at the preference sheets to give you
12 the exact number of partners who did or did not. But
13 overwhelmingly, we had preferences from the majority of the
14 partners.

15 Q What would happen to a partner that didn't give a
16 preference?

17 A They were called by their store manager and contacted in
18 the case of where -- when they applied -- by the recruiter. So
19 if they applied and did not a receive a Heritage offer and had
20 not selected a preference -- that was a conversation with the
21 recruiter. For the leaders -- so the -- so for the shift
22 supervisors and the baristas who did not apply, that was a
23 conversation had with the barista, with the shift supervisor,
24 and their immediate store manager, to select the preferences.

25 HEARING OFFICER CHEREM: I'm going to take advantage of

1 the pause and just let everybody know that it's about 4:15.
2 Dmitri notified us that he has a hard 4:30 stop. So I'm
3 assuming we are not going to finish with this witness today.

4 MS. MULTHAUP: Okay.

5 HEARING OFFICER CHEREM: And I'll let Marina continue
6 asking questions for another few minutes, and then we'll pause
7 with this witness. And I want to make sure that we allow time
8 to go through the necessary hoops about the continuance of the
9 hearing to Thursday, because I -- I want to make sure that
10 that's done accurately and in the record. And I want to make
11 sure that doesn't get short-changed. So Marina, take another
12 couple minutes, and when you get to as good of a logical
13 stopping point as any, you can pause and we'll -- we'll switch
14 hats to the continuance.

15 MS. MULTHAUP: Okay. Let's see. I think of almost a
16 logical stopping place. I just want to nail down a couple of
17 more logistics.

18 Q BY MS. MULTHAUP: So partners had ten days to apply to
19 their -- to the Heritage store positions, and then there were
20 three days of interviews scheduled; is that what you said?

21 A There were three days of interviews scheduled, and they
22 had ten days to apply.

23 Q Okay. And when were the interviews? I'm sorry, did you
24 say this before?

25 A I believe they were the 14th, 15th, 16th, but I'd have to

1 look at the calendar.

2 HEARING OFFICER CHEREM: Of which month?

3 MS. MULTHAUP: June.

4 HEARING OFFICER CHEREM: June?

5 THE WITNESS: June.

6 HEARING OFFICER CHEREM: That was a Tuesday, Wednesday,
7 Thursday -- 14th, 15th, 16th?

8 THE WITNESS: Yes, that's correct.

9 HEARING OFFICER CHEREM: Okay.

10 THE WITNESS: Thank you.

11 Q BY MS. MULTHAUP: How long were the interviews?

12 A It depended.

13 Q How long were they scheduled for?

14 A I'd have to look back in the notes, but I believe each
15 interview leader's -- or each barista or shift supervisor's
16 slot was one hour. But I -- I'd have to confirm.

17 Q So if there's -- and how many different teams were doing
18 interviews?

19 A There were several store managers and district managers
20 who participated in the interview job fair process.

21 Q Were there -- were their concurrent interviews happening
22 or was there one interview happening at a time?

23 A They were concurrent.

24 HEARING OFFICER CHEREM: And about how many people -- you
25 said, "several". Can you give an estimate of like, if that's

1 closer to three, closer to ten?

2 THE WITNESS: Closer to ten. They interviewed in teams.

3 HEARING OFFICER CHEREM: So there would've been two store
4 managers interviewing each applicant?

5 THE WITNESS: Yes. At times there were two store
6 managers. There were also times when there was one store
7 manager and one district manager in the case of shift
8 supervisors.

9 HEARING OFFICER CHEREM: Um-hum.

10 Q BY MS. MULTHAUP: You said before that -- sorry. Is it
11 true that you testified that every partner who applied got an
12 interview?

13 A To my knowledge, every partner who applied got an
14 interview. And in some cases, we had to move an interview
15 virtual, slide times, and even interview outside of the window
16 to make sure that everybody who applied in that first round had
17 access to an interview.

18 Q So if there was a partner who applied who did not get an
19 interview you think that was maybe a mistake?

20 A That would've been an error.

21 Q What were the -- what -- what were the -- the -- the times
22 of these days? Was it -- was it 8 to 5? Was it 9 to 6? Do
23 you remember?

24 A I'd have to look back at the exact time of the first
25 interview. Each day varied because if you had asked for the

1 interview and opted in you signed up with the recruiter for the
2 interview slot to make sure that we weren't scheduling you for
3 an interview that was outside of the availability that you
4 could make. So we wanted to make it as easy and most
5 accessible as we possibly could for those baristas and shift
6 supervisors to sign up for the time slot that worked best for
7 them in partnership with the recruiter.

8 HEARING OFFICER CHEREM: Where was this job fair? Where
9 did it take place?

10 THE WITNESS: The second floor of our Seattle support
11 center. Just a few blocks down the road from the store.
12 Stores.

13 MS. MULTHAUP: I want to say, I have, like, many more
14 questions about the interview process, so I think we should --
15 we should --

16 HEARING OFFICER CHEREM: Well --

17 MS. MULTHAUP: -- stop here.

18 HEARING OFFICER CHEREM: Okay. Sounds good. Thank you
19 very much for your testimony. We're not done, but I -- go and
20 enjoy your vacation and your counsel and Petitioner's counsel
21 and I will figure out what makes sense for when to complete
22 your testimony.

23 MR. HAMMOND: Can you remind us, Nica, when is -- are we
24 off the record?

25 HEARING OFFICER CHEREM: We are not. We are still on the



1 record. We can go off for a second, and then we can come back
2 on to do the continuance.

3 MR. HAMMOND: Okay.

4 HEARING OFFICER CHEREM: Let's go off the record.

5 (Off the record at 4:21 p.m.)

6 HEARING OFFICER CHEREM: Thank you. We have ceased
7 witness testimony for the day in light of the fact that we were
8 going to be unable to finish. She will continue at a later
9 date. Normally, we would be continuing tomorrow; however, the
10 Employer has indicated that there are extraordinary
11 circumstances that they believe warrant the hearing not
12 continuing day-to-day. Employer, can you please briefly
13 explain your request on the record?

14 MS. DIECKMAN: I've had a death in my family and will be
15 attending a funeral tomorrow, as well as a shiva, which will
16 take most of the day.

17 HEARING OFFICER CHEREM: Thank you. Petitioner, your
18 position on the request -- oh, excuse. And Employer requests
19 to then reconvene on Thursday morning at 9 a.m.; is that
20 correct?

21 MS. DIECKMAN: Correct.

22 MR. IGLITZIN: Petitioner -- Petitioner is -- is happy to
23 accede to that request.

24 HEARING OFFICER CHEREM: Thank you. And I have previously
25 consulted with the Regional Director, this having already been

1 brought to our attention, and gotten approval for the
2 continuance. So the Regional Director has concluded that this
3 does warrant an extraordinary circumstances and that, as a
4 result, the hearing will be adjourned until Thursday morning.
5 And I believe that is June 30th, at 9 a.m.

6 MS. DIECKMAN: I appreciate everyone's flexibility.

7 HEARING OFFICER CHEREM: Of course. And I will -- we
8 can -- let's all adjourn for the day, and then we can stay and
9 have an off-the-record conversation. So if there is nothing
10 further, the hearing will be adjourned to Thursday morning at 9
11 a.m. Hearing adjourned.

12 **(Whereupon, the hearing in the above-entitled matter was**
13 **recessed at 4:23 p.m. until Thursday, June 30th, 2022 at 9:00**
14 **a.m.)**

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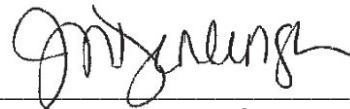
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C E R T I F I C A T I O N

This is to certify that the attached proceedings before the National Labor Relations Board (NLRB), Region 19, Case Number 19-RC-297140, Starbucks Corporation and Workers United, held at the National Labor Relations Board, Region 19, National Labor Relations Board, Region 19, Jackson Federal Building, 915 Second Avenue, Suite 2948, Seattle, Washington 98174, on June 28, 2022, at 9:08 a.m. was held according to the record, and that this is the original, complete, and true and accurate transcript that has been compared to the reporting or recording, accomplished at the hearing, that the exhibit files have been checked for completeness and no exhibits received in evidence or in the rejected exhibit files are missing.



JACQUELINE DELINGER

Official Reporter